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ABSTRACT

This curriculum guide and accompanying teacher's guide focus on the individual and personal freedoms guaranteed by the U.S. Constitution and as interpreted by the courts--namely, the idea of fundamental rights as expressed through the concepts of liberty, justice, and equality. The curriculum includes 10 lessons: (1) Rights Are Fundamental; (2) The Bill of Rights; (3) Freedom of Speech; (4) Freedom of the Press; (5) The Right to Assemble Peacefully; (6) Freedom of Religion; (7) Due Process; (8) Search and Seizure; (9) Equal Protection; and (10) The Bill of Rights Today. The teacher's guide contains goals and objectives for each lesson, points of law that explain the legal concepts involved in each lesson and that are intended as background information for the teachers, and explanations of and recommended directions for each activity. A 37-item bibliography of children's literature about topics covered in the curriculum is appended. (DB)

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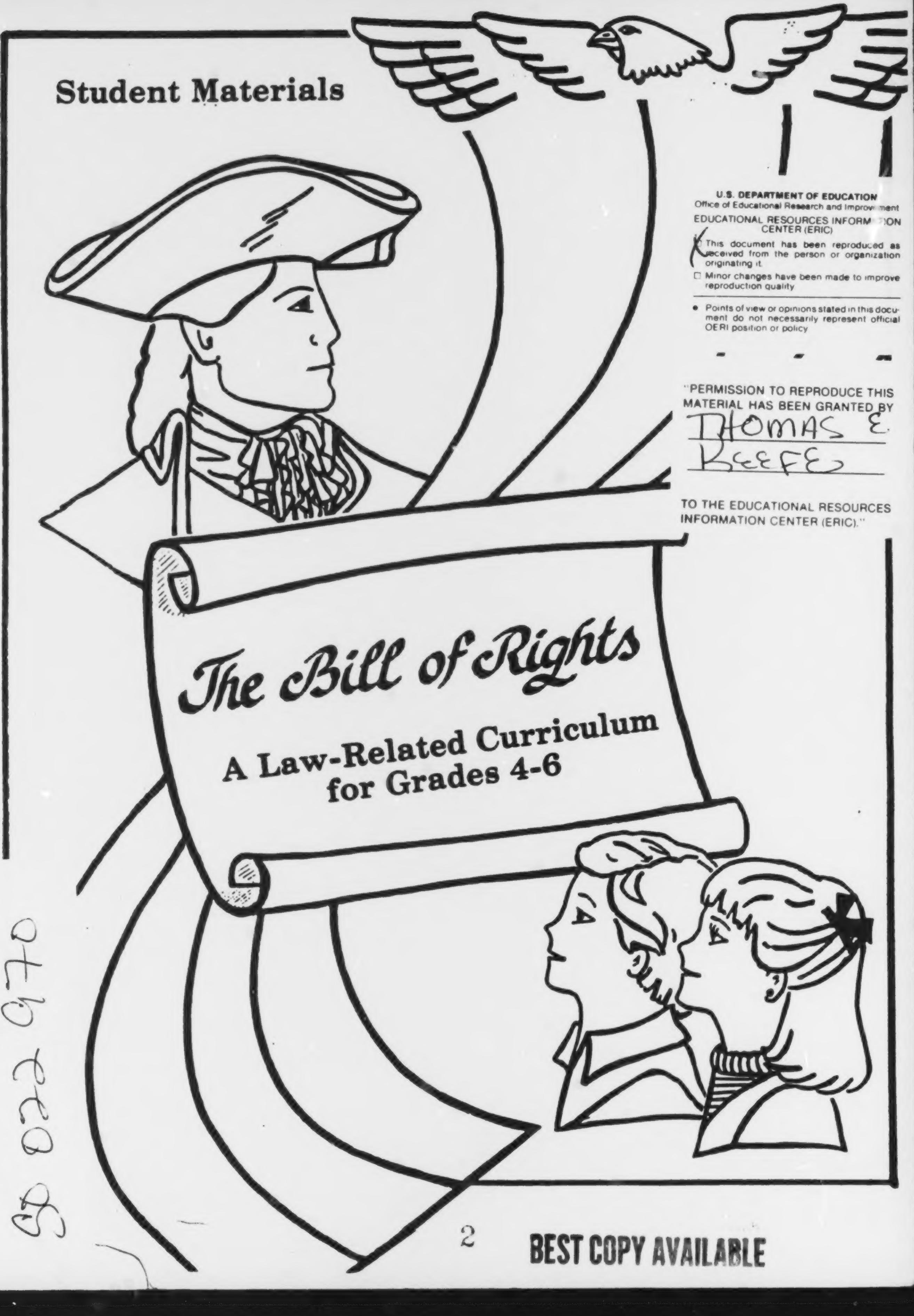

The Bill of Rights

A Law-Related Curriculum for Grades 4-6

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The Bill
of Rights

A Law-Related Curriculum for Grades 4-6

Student Materials

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THE BILL OF RIGHTS
A LAW-RELATED CURRICULUM FOR GRADES 4-6

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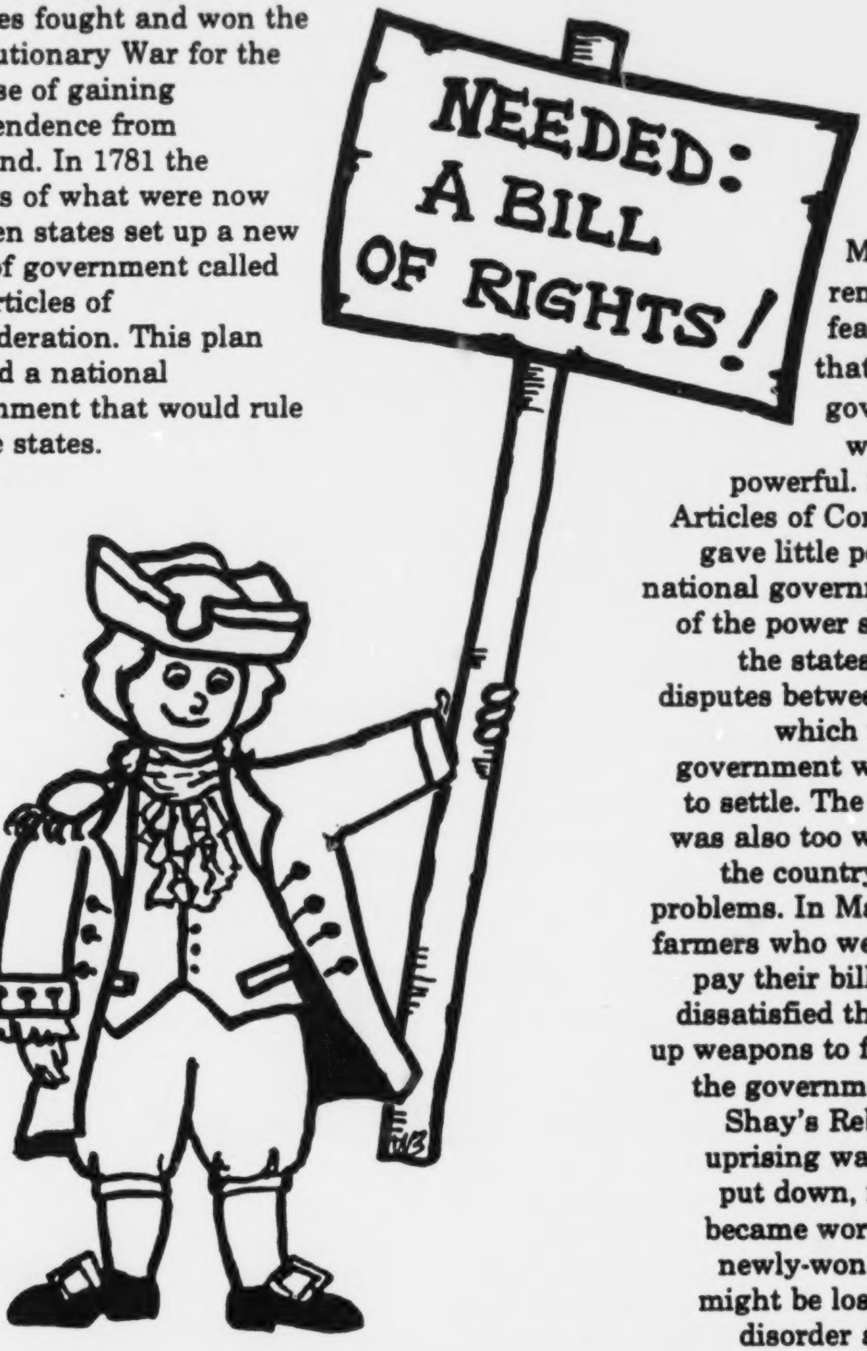
ACTIVITY 1-A

NEEDED: A BILL OF RIGHTS

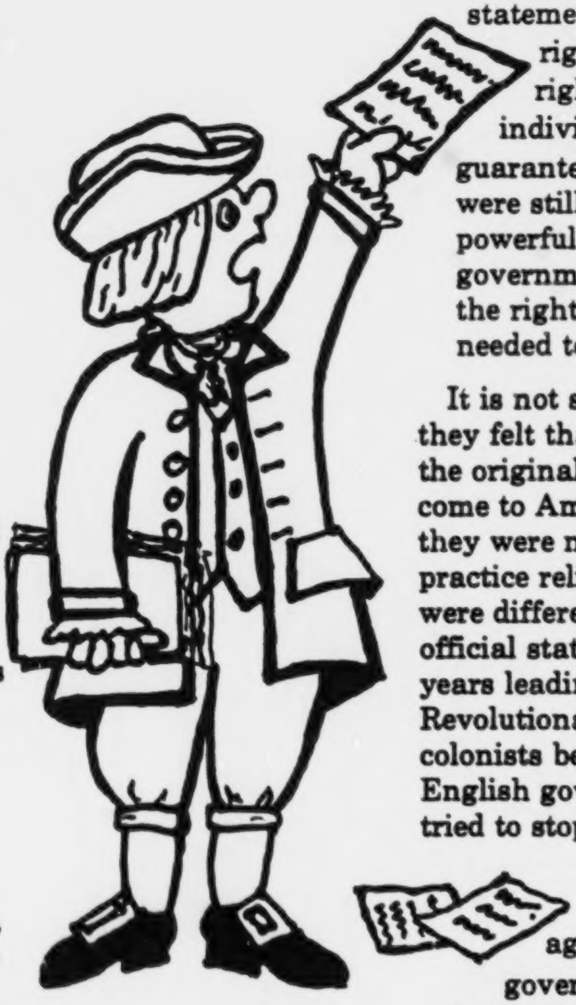
The thirteen original colonies fought and won the Revolutionary War for the purpose of gaining independence from England. In 1781 the leaders of what were now thirteen states set up a new plan of government called the Articles of Confederation. This plan created a national government that would rule all the states.



Many citizens remained fearful that their new government would be too powerful. So the new Articles of Confederation gave little power to the national government. Most of the power stayed with the states. This led to disputes between the states which the national government was too weak to settle. The government was also too weak to solve the country's economic problems. In Massachusetts farmers who were unable to pay their bills became so dissatisfied that they took up weapons to fight against the government. Although Shay's Rebellion, as the uprising was known, was put down, many citizens became worried that their newly-won independence might be lost. They feared disorder and knew that fighting among the states could only weaken their defenses against foreign powers.

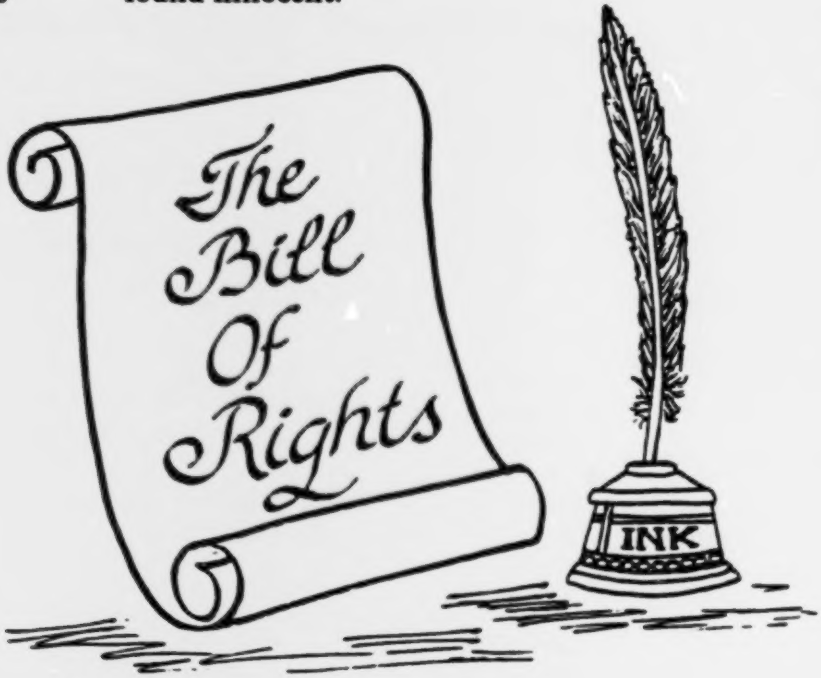
In 1787 the country's leaders decided that a meeting had to be held to discuss the problem. This meeting was called the Constitutional Convention and its purpose was to create a new government. Each of the states chose a few people called delegates to represent them at the Convention. These delegates are known as the Founding Fathers. The Founding Fathers decided that the Articles of Confederation should be replaced with a new Constitution.

The Constitution they wrote is almost the same today as it was then. It is the supreme law of the land and establishes the three branches of government. They are (1) Congress (the legislative branch), which is responsible for making laws; (2) the President and his cabinet officers (the executive branch), who enforce the laws Congress makes; (3) Courts and judges (the judicial branch), which decide what the laws mean and how to apply them. This new government would be strong enough to be able to settle disputes among the states. And because each of the three branches keeps a check on the power of the others, no one branch could become too strong.



Before the Constitution could become the law, it had to be ratified (voted for) by at least nine of the thirteen states. However, many people said the Constitution lacked one very important thing: a statement about people's rights – a list of rights each individual should be guaranteed. The people were still fearful of a powerful national (federal) government and felt that the rights of individuals needed to be protected.

It is not surprising that they felt that way. Many of the original colonists had come to America because they were not allowed to practice religions which were different from the official state religion. In the years leading up the Revolutionary War many colonists believed that the English government had tried to stop them from voicing their complaints against the government, had searched citizens' private papers and homes, had forced colonists accused of crimes to be tried far from their homes without juries, had chosen judges who wanted to please the King, had forced colonists to have soldiers live in their homes, and had held phony trials in which soldiers who were accused of killing citizens were found innocent.



After much discussion it was agreed that if the states would ratify the Constitution, a bill of rights would be added. In 1791 it was. The first ten amendments to the Constitution state the rights that each individual is guaranteed. They are known as the Bill of Rights. The 200th birthday of these important rights is in 1991.

Questions

1. Who had most of the power under the Articles of Confederation?
2. Why did the Articles of Confederation give little power to the national government?
3. What was the primary reason for calling a constitutional convention?
4. Why was the Bill of Rights added to the Constitution?

ACTIVITY 1-B
RIGHTS, PRIVILEGES, AND RULES

What are the differences between rights, privileges and rules?
Look at the following definitions and examples.

Rights:	Important things which people should be able to do to live free and dignified lives. **Examples:** Right to life, right to worship as one pleases.
Privileges:	Special favors given to people; often they are earned, but they do not have to be; they can be taken away fairly easily. **Examples:** Being allowed to chew gum in class, having a drivers license at age 16, staying up late at night.
Rules:	Principles which tell us what we can and cannot do; a law is a kind of rule. **Examples:** No running in the halls, only cross the street when the walk light is on.

Categorize the following items as either a right, privilege, or rule using the worksheet on the next page. Be prepared to explain your responses.

1. Drive a car.
2. No hard sole shoes on the gym floor.
3. Talk about our ideas freely and openly.
4. Attend public school.
5. Participate in after-school sports.
6. Worship God.
7. No fishing.
8. No talking without raising hands.
9. Peacefully meet with friends.
10. Be home from a date by midnight.
11. Receive equal treatment under the law.

ACTIVITY 1-B
RIGHTS, PRIVILEGES, AND RULES
WORKSHEET

Rights

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Privileges

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Rules

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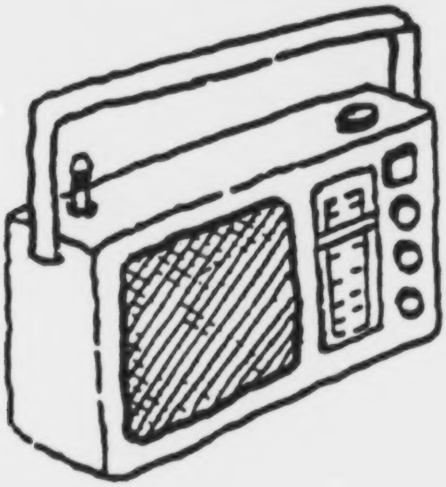
ACTIVITY 1-C

LARRY LAWRENCE



Larry Lawrence was a radio "personality" in the town of Lizard Gulch. He ran a call-in show where listeners voiced their opinions on the air. The most opinionated person of all was Larry Lawrence. He did not like the town of Lizard Gulch. He did not like the way the town government ran Lizard Gulch. He had many ideas of what should be done to make Lizard Gulch a better town. Some people liked his ideas, but most people did not. They got tired of him always saying bad things about the town and the government. The people of the town decided to have a vote. The question to be voted on was this: "Should Larry Lawrence be sent to jail for the rest of his life?"

Questions

1. If most of the people in Lizard Gulch vote yes, do you think it would be right to send Larry Lawrence to jail for the rest of his life?
2. Would your answer be the same if the question to be voted on was this: "Should Larry Lawrence be forbidden to criticize the town of Lizard Gulch or its government?"

ACTIVITY 1-D WORKSHEET

Individual MEANS *You!*

LIST TEN RIGHTS YOU WOULD HAVE INCLUDED IN THE ORIGINAL BILL OF RIGHTS.

The Bill of Rights

1. ______________________________
2. ______________________________
3. ______________________________
4. ______________________________
5. ______________________________
6. ______________________________
7. ______________________________
8. ______________________________
9. ______________________________
10. ______________________________

by ______________________________

ACTIVITY 2-A

A SHORT SUMMARY OF THE EXTENDED BILL OF RIGHTS OF THE CONSTITUTION OF THE UNITED STATES

1st: Government shall not:
- set up a religion
- take away freedom of religion
- take away freedom of speech or of the press
- keep people from gathering together peacefully
- keep people from complaining to the government.

2nd: People have the right to keep and use guns to protect the country.

3rd: People cannot be forced to let soldiers stay in their homes except as stated by law in times of war.

4th: People have the right to privacy for themselves, their homes, and their belongings. Government may not unreasonably search and take their possessions.

5th: People have the right:
- to refuse to testify against themselves
- not to be tried more than once for the same crime
- not to have life, liberty, or property taken away without good reasons and fair procedures.

6th: People have the right to:
- a speedy and public trial
- a jury trial in a criminal case
- be told what they have been accused of doing
- to face their accusers
- to bring to the trial people who will give evidence for them
- to get help from a lawyer for their defense.

7th: People have the right to a jury trial in cases where there is a disagreement between them.

8th: People have the right to reasonable bail and fines and to punishments that are not cruel and unusual.

9th: People have other rights that are not listed in the Bill of Rights.

10th: Some powers are given to the Nation. All other power belongs to the States or the People.

13th: Slavery is not allowed.

14th: People have the right to be treated equally by the law. The states cannot take away anyone's life, liberty, or property without good reasons and fair procedures.

15th: People of any race or color have the right to vote.

19th: Both men and women have the right to vote.

26th: U.S. citizens 18 years old or older have the right to vote.

ACTIVITY 2-B
GOVERNMENT ACTION

Look at the 1st Amendment on your summary of the Bill of Rights. Notice that it begins "Government shall not . . . ." In fact each of the rights in the Bill of Rights is intended to protect individuals from the government abusing its power.

Government is a group of leaders in a community, state, or country who make laws and make sure laws are obeyed. In this country we have many governments. There are the national or federal government, state governments, and local governments such as cities and counties. The United States Constitution gives certain powers to the federal government and leaves others to state governments. The states give some of their powers to local governments. Here is a chart that lists some of the people who work for government:

Federal: The United States of America	State: The State of Nebraska	Local: (For example, The City of Grand Island)
- President	- Governor	- Mayor
- Vice-President	- Lieutenant Governor	- City Council
- U.S. Senators & Representatives (Congress)	- State Senators (Unicameral Legislature)	- County Commissioners
- U.S. judges	- State judges	- Fire department
- U.S. Army, Navy etc.	- departments like Department of Social Services	- Police departments
- departments like the Department of Agriculture	- State Patrol	- Public schools
- agencies like the FBI		

Whenever something is done by government or by someone who works for government while they are doing their job it is called government action. In order for there to be a violation of constitutional rights there must be government action. (An exception is the 13th Amendment. It says that no one may own slaves.)

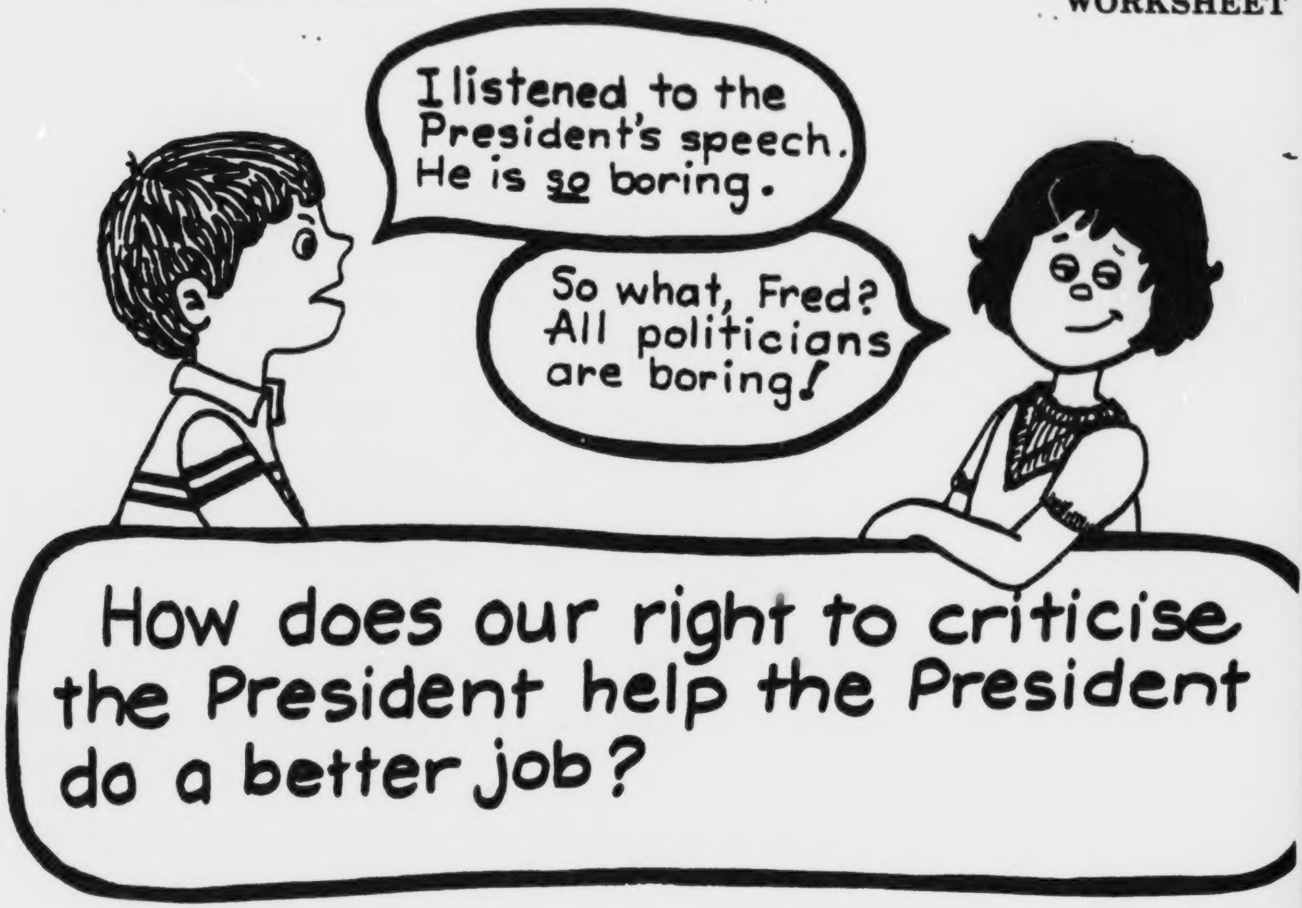
Here is an example. The First Amendment says that government shall not take away freedom of speech or of the press. If the government of your town passed a law that said "No newspaper shall print a letter written by anyone under 13 years of age" that would be a violation of the newspaper's freedom of the press as well as a violation of the freedom of those persons under 13 years old who want to write a letter to the newspaper and have it printed. However, if the newspaper itself decided that it would not print letters from anyone under 13 years of age, although it would be unfair, it would not be a violation of the 1st Amendment because there was no government action. The newspaper is not government.

Questions

In the situations listed below is there government action?

1. A police officer gives you a ticket for painting words on the side of a building.
2. Your friend tells you to keep quiet and mind your own business.
3. Your town council passes a law.
4. A judge sends someone to jail.
5. Your mother tells you to go to bed.
6. A store owner tells you to leave the store because the store has a rule that only two people under the age of 16 are allowed in the store at the same time.
7. The principal of your school puts up a Christmas tree in the main lobby of the school.
8. Your neighbor tells you to turn down your loud radio.
9. The telephone company takes away your phone.
10. The mayor of your town tells her son that because he has been bad he must stay in his room.

ACTIVITY 3-A
WORKSHEET


I listened to the President's speech. He is so boring.
So what, Fred? All politicians are boring!
How does our right to criticise the President help the President do a better job?

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ACTIVITY 3-B

"FIRE!"

The local public school is having a special assembly. The auditorium is crowded because every student and every adult in the school is attending the assembly. The assembly features a former student who is now a star volleyball player for the University of Nebraska Cornhuskers. She shows a film about volleyball, answers questions, and gives autographs. During the assembly, two students as a prank yell "FIRE!"

Questions

1. What are some possible results of a false alarm like this one?
2. Should the students who yelled "Fire" be punished? Explain your answer.
3. Do you think that punishing the students would be a violation of their First Amendment right of free speech? Explain your answer.
4. How is this situation different from punishing someone for saying the President is boring?
5. Can our freedom of speech be limited? If so, in what ways?

ACTIVITY 3-C

WHAT ARE THE LIMITS ON FREEDOM OF SPEECH?

In the following situations do the actions of the police in limiting your free speech violate your First Amendment rights?
Why or why not?

1. You are having a party in your backyard. It continues until past 10:00 in the evening. The police come and order you to turn down the loud music and be quieter.

2. You write a letter to the editor of your local newspaper criticizing the school board for not keeping your school open all year long. The police come to your home and order you to write no more letters critical of the school board.

3. You take out an ad in the local newspaper saying that a local business offers terrible products and services. This is a lie. The business is a very good one; you just do not like the person who runs the business. You are summoned to court to respond to a lawsuit the business has brought against you. (A summons is a piece of paper that orders you to go to court.)

4. The week before the election you put up a sign in your yard supporting a candidate for the legislature. The police tell you to take it down because political signs are ugly.

5. You distribute pamphlets on a street corner which argue that your school should be open all year long. You ask everyone who comes by to take a pamphlet. The police order you to stop.

6. You telephone your school and tell a secretary that you have put a bomb inside the school building. The police come and arrest you.

7. You and your friends march on the Capitol in Lincoln demanding that schools be open all year long. You march in the streets tying up traffic. The police arrive and tell you to stop because you do not have a permit.

8. You are giving a speech arguing that schools should be open all year long. Your audience gets mad and threatens to beat you up. The police order you to stop.

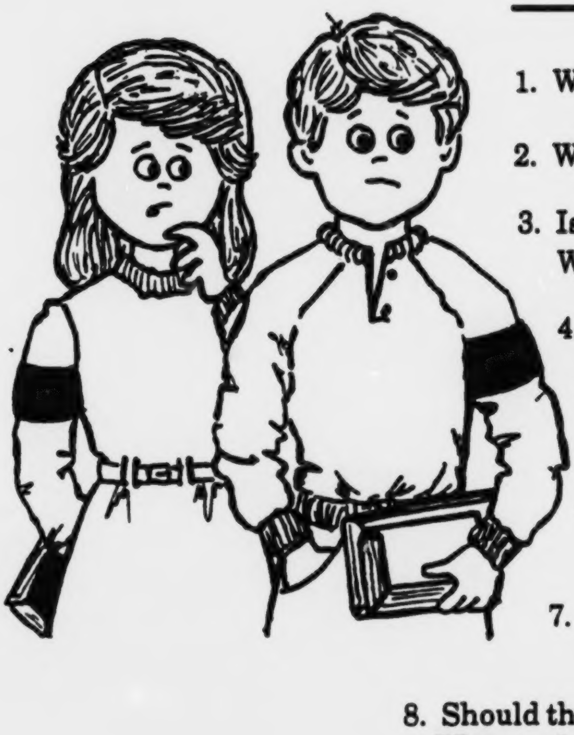
ACTIVITY 3-D

SYMBOLIC SPEECH -- THE TINKER CASE
(PART ONE)

This is a real case that was decided by the United States Supreme Court:

John and Mary Beth Tinker felt that the war in Vietnam was wrong. Many people around the country were wearing black arm bands to express their belief that the war was wrong. John and Mary Beth decided to wear black arm bands to school. The principal told them that they could not do that, although students were allowed to wear political buttons.

The Tinkers wore the arm bands to school anyway. Some students got angry with John and Mary Beth for wearing the arm bands. The principal sent John and Mary Beth home and told them not to come back until they had taken off the arm bands.



Questions

1. What are the facts of the case?
2. What did wearing the black arm bands mean?
3. Is wearing black arm bands speech? Why or why not?
4. What is the conflict in the case?
5. Is government action involved in this case? If so, where?
6. What arguments would you make if you were John or Mary Beth Tinker?
7. What arguments would you make if you were the principal?
8. Should the Tinkers be allowed to wear the arm bands? Why or why not?

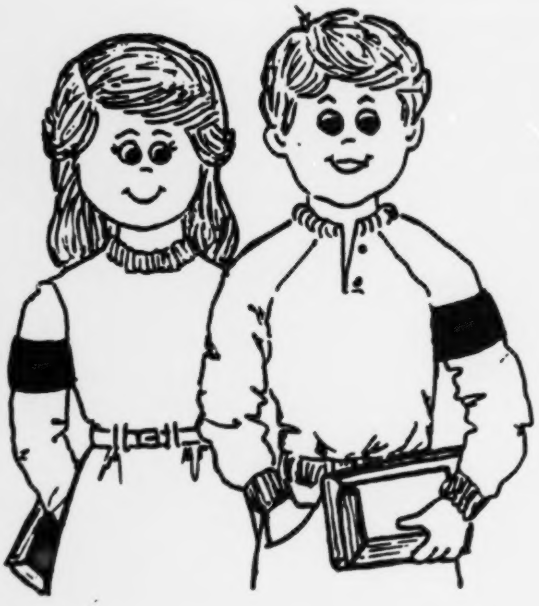
ACTIVITY 3-D
SYMBOLIC SPEECH -- THE TINKER CASE
(PART TWO)

The Court's decision:

The Supreme Court decided that the First Amendment permitted the wearing of arm bands to school as a protest.

Justice Fortas wrote for the majority that neither students nor teachers "shed their constitutional rights of freedom of speech at the schoolhouse gate. . . . Students . . . are 'persons' under our Constitution. They are possessed of fundamental rights which the state must respect." The wearing of arm bands is a type of speech and is protected by the First Amendment.

As long as a protest does not "materially and substantially interfere with school discipline," it should be permitted.



Questions

9. Did the Tinkers win the case?

10. If they won, why did they win? If they lost, why did they lose?

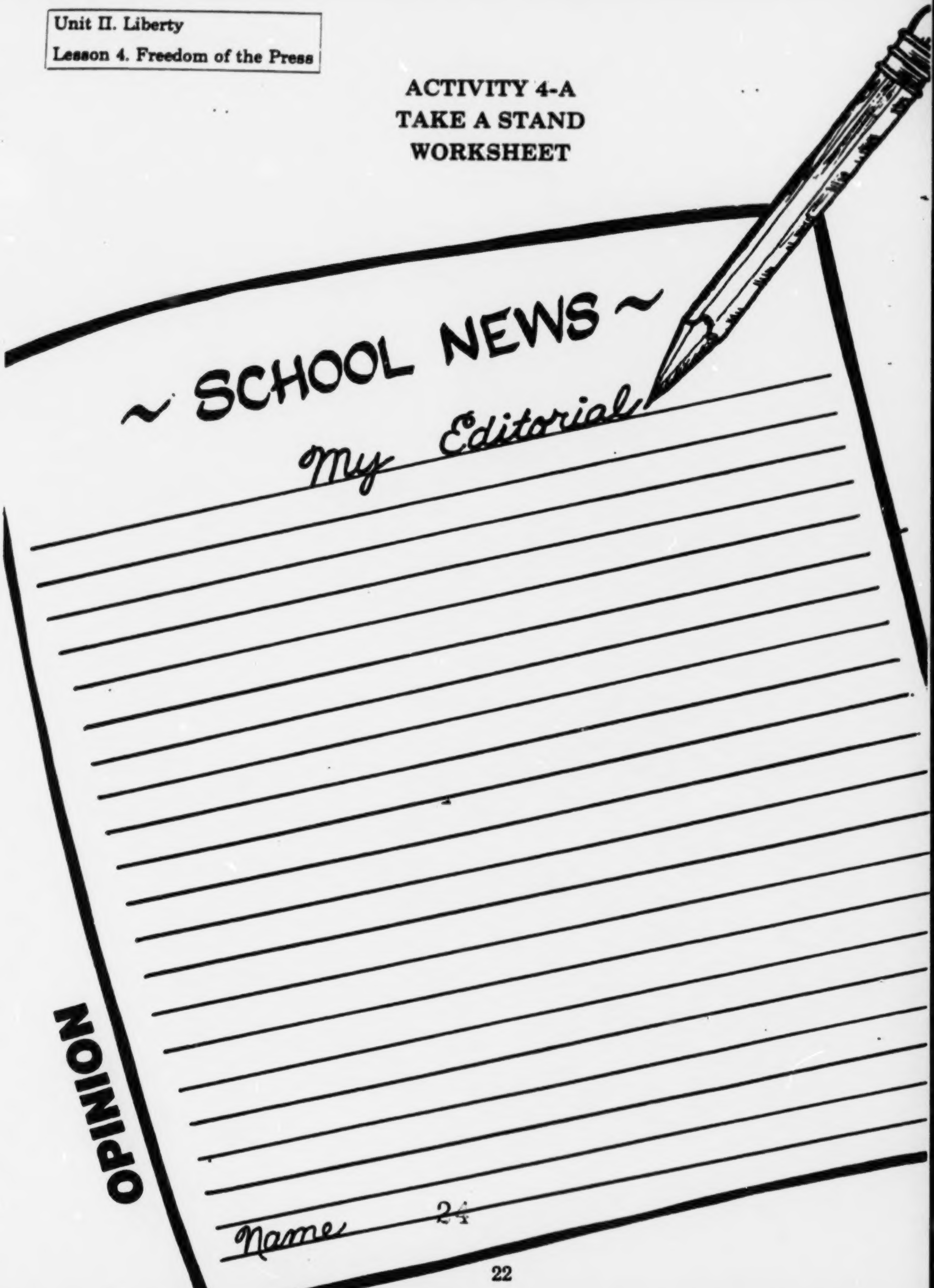
11. What is symbolic speech?

12. How is symbolic speech used in this case?

13. According to the Court, under what circumstances would it be legal to prevent the Tinkers from wearing the arm bands?

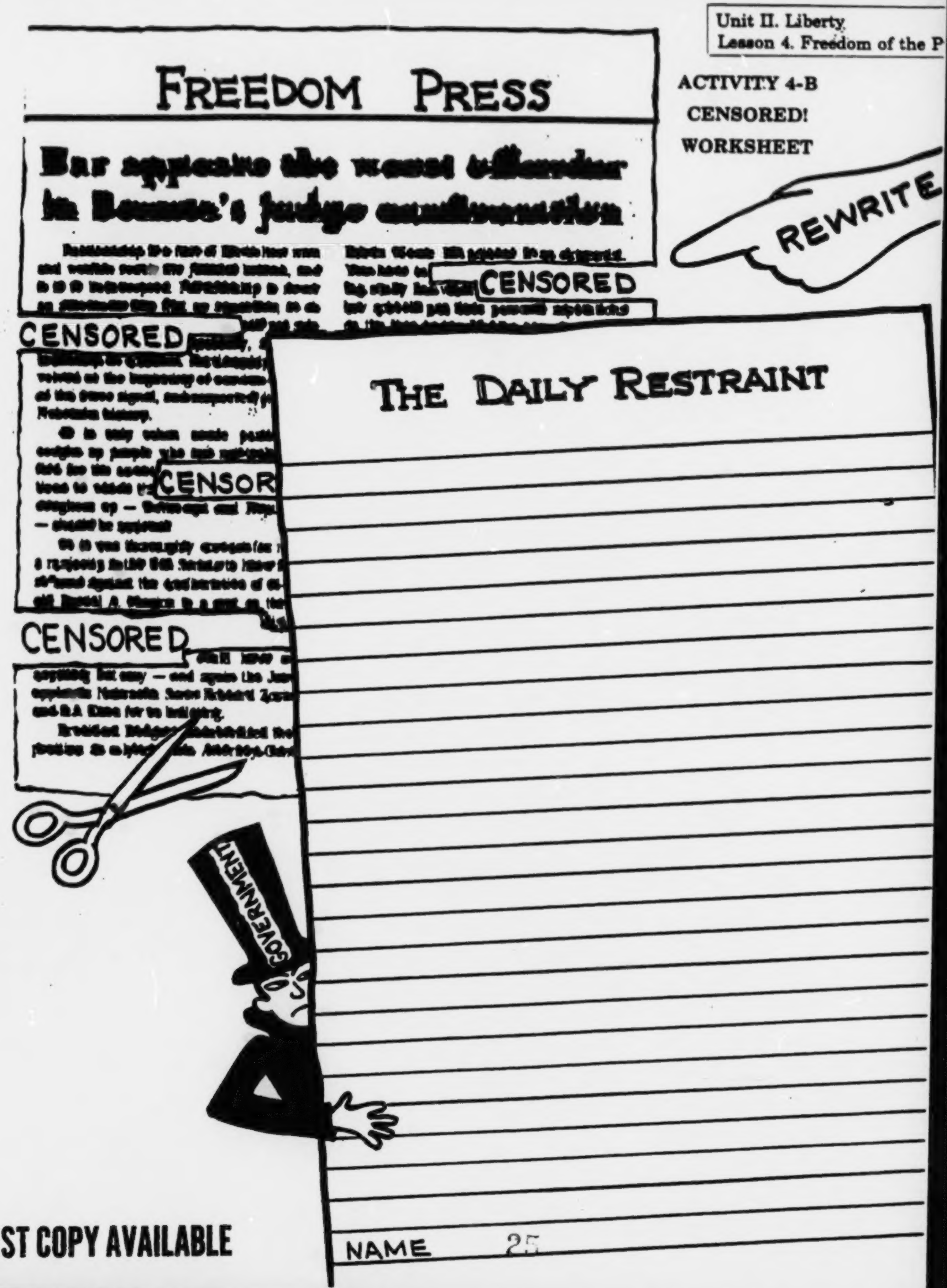
14. Suppose most of the students at the school supported the Vietnam War and did not want the Tinkers to wear arm bands. Should that make a difference in the case?

ACTIVITY 4-A
TAKE A STAND
WORKSHEET


~ SCHOOL NEWS ~
My Editorial
OPINION
Name

Unit II. Liberty
Lesson 4. Freedom of the P

ACTIVITY 4-B
CENSORED!
WORKSHEET


FREEDOM PRESS
CENSORED
CENSORED
CENSOR
CENSORED
REWRITE
THE DAILY RESTRAINT
GOVERNMENT
NAME

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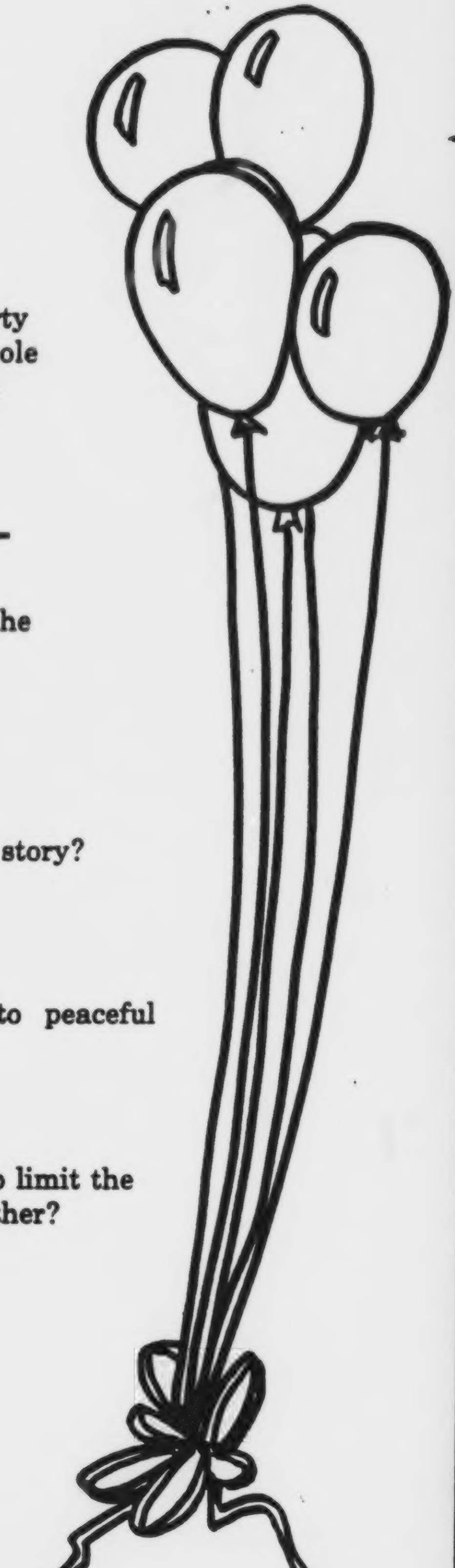
ACTIVITY 4-C
WORKSHEET

CARTOONS

Create a single frame editorial cartoon

OPINION

Cartoonist ____________________



ACTIVITY 5-A
THE BIRTHDAY PARTY

You are planning a surprise birthday party for your teacher. You want to invite the whole class, but a law says that no more than six people may gather together at one time.

Questions

1. What part of the Bill of Rights deals with the problem in this story?
2. What is the right of assembly?
3. Is this right violated in this story? Explain your answer.
4. Why do we have the right to peaceful assembly?
5. Why might a government want to limit the number of people who gather together?

ACTIVITY 6-A

THE SUNSET PROCLAMATIONS

Read and think about the following situations. For each situation answer the following questions:

1. Does the law or government action in this situation violate the First Amendment?
2. If so, what part and why? If not, why not?
   A. In the year 2000 Congress passes a law that states:
   Each day at dusk all citizens must stop all activities and devote at least five minutes of worship to the sunset.
   B. In the year 2005 Congress, with many newly elected Senators and Representatives, decides to do something about the sunset worshippers. If repeals (gets rid of) the prior law and passes a new law that states:
   Any person found worshipping the sunset shall be subject to federal prosecution and possible fine and/or prison sentence.
   C. In the year 2010 Congress repeals this law and passes a new law that states:
   No one who is not a member of the Church of the Sunset Worship may attend any public school or hold any public office.
   D. By the year 2020 a new religion has sprung up which makes its members at age 13 prove their faith by tasting poison. If they do not become sick or die, it shows they are believers with a strong faith and they may continue to be a part of the religion. The leaders of the religion believe that if a child's faith is strong enough, God will protect him or her from the poison. The government says it will charge the religious leaders with child abuse – even with murder – if they have the children drink the poison.

ACTIVITY 7-A

DUE PROCESS DENIED OR FAIRNESS IN THE LAND OF FAIRCASTLE

A PLAY IN FOUR ACTS

Act 1. The Crown against Red Smithy

Cast of Characters:

Narrator
Bailiff (person who helps run the court)
King/Queen
Lady Violet
Red Smithy

NARRATOR: This Friday, as on every Friday morning, the ruling monarch of the Land of Faircastle is about to open the Faircastle High Court of Justice. The ruler is the only member of the Court.

BAILIFF: Hear ye! Hear ye! The Great Chief and Only Justice of the Land of Faircastle is about to open the Court for the business of the day.

KING/QUEEN: Bring on the first case.

BAILIFF: The first case is The Crown against Red Smithy. The victim is Lady Violet.

KING/QUEEN: State your case, Lady Violet.

LADY VIOLET: Fifteen years ago I was injured when Red Smithy, then 12 years old and learning how to be a blacksmith, let a barrel of horseshoe nails roll over my legs, badly bruising them.

KING/QUEEN: Your legs do not look bruised.

LADY VIOLET: Of course not, the accident happened 15 years ago.

KING/QUEEN: Why did you wait so long to bring this case before me?

LADY VIOLET: When I was injured Red Smithy was only 12 years old. He had few customers. Now he is doing so well that he is taking business away from my own true love, Pureheart Smithy.

KING/QUEEN: Is there anyone else who saw the terrible bruises?

LADY VIOLET: Oh yes, Your Majesty.

KING/QUEEN: Well, bring them to court as witnesses.

LADY VIOLET: I cannot do that, Your Royal Highness. My mother is now dead and my best friend Elaine Roundhead has moved to the colonies. There is no way after so much time to bring in my witnesses.

KING/QUEEN: Well then, let's hear from the blacksmith, Red Smithy. What do you have to say?

RED SMITHY: That was many years ago. I don't remember causing injury to Lady Violet.

KING/QUEEN: Lady Violet has brought serious charges against you, Red Smithy, and you do not deny them, you only say you don't remember. I find you guilty of injuring Lady Violet and order that you spend ten years in prison.

Act 2. The Crown against Old Stoutheart

Cast of Characters:

King/Queen
Bailiff
Old Stoutheart
Tiny Stoutheart
Narrator

KING/QUEEN: Bailiff, call the next case.

BAILIFF: The next case is The Crown against Old Stoutheart. The victim is Funnyfellow, the Court Jester.

KING/QUEEN: Yes, I know this case well. Every Friday I order Old Stoutheart to the Court to answer to the charge that he caused Funnyfellow, the Royal Jester, to fall to the floor by removing Funnyfellow's chair as he was about to sit down.

OLD STOUTHEART: That is right, Your Majesty. You make me come here every Friday even though the Royal Jury found that I was not guilty because there was no evidence that I pulled the chair out from under Funnyfellow.

KING/QUEEN: Yes, that is why the Royal Jury is no more. The Court Jester was injured and unable to work for a whole month leaving the Royal Court without laughter. Someone must pay for such a nasty crime. So we are waiting for you to confess – patiently waiting, I might add.

OLD STOUTHEART: I will not confess. I did not do it. I am merely trying to make a living as a baker and it is not easy when I spend every Friday morning in Court. If I were not such an honest man I would confess just so I could continue to make a living.

KING/QUEEN: Aha! Did you say you confess?

OLD STOUTHEART: No, a thousand times no! I didn't do it! I will not confess!

KING/QUEEN: We'll see about that. Bailiff call the next case, heh, heh.

BAILIFF: The Crown against Tiny Stoutheart.

NARRATOR: The bailiff enters the room with Tiny Stoutheart, a five year old girl.

TINY STOUTHEART: No, you cannot do this to me. I have done nothing wrong.

BAILIFF: Your Majesty, on your order Tiny Stoutheart is charged with injuring the Royal Jester. She will be put in jail unless she can prove her innocence.

OLD STOUTHEART: No, wait! If you are so anxious to arrest someone that you would put my little granddaughter in prison, I will confess. I hurt the Royal Jester.

TINY STOUTHEART: **But Grampa you did not! I know you didn't. That was the day you took me to the Royal Zoo.**

OLD STOUTHEART: **Hush, girl. It is for the best. I confess.**

KING/QUEEN: **Old Stoutheart has confessed to injuring Funnyfellow, the Royal Jester, and depriving the Royal family of laughter. I order him to give me his bakery and sentence him to spend twenty years in prison. Take him away.**

Act 3. The Crown against Sir Winalot

Cast of Characters:

King/Queen
Bailiff
Lord Lottaland
Sir Winalot

KING/QUEEN: **Bailiff, bring in the next case.**

BAILIFF: **The Crown against Sir Winalot. The victim is Lord Lottaland.**

KING/QUEEN: **Lord Lottaland, what is your charge?**

LORD LOTTALAND: **The Knight, Sir Winalot, stole my horse, Aksarben.**

KING/QUEEN: **What say you, Sir Winalot?**

SIR WINALOT: **Aksarben is my horse. I bought him last year from Lord Lottaland. Here is the bill of sale signed by Lord Lottaland.**

LORD LOTTALAND: Your Majesty, I remind you that Sir Winalot was the winner of the royal jousting tournament in which he defeated your son, Sir Neverwin.

KING/QUEEN: Why that's right and I so wanted my son to win. Sir Winalot, I find you guilty as charged. You must turn over your horse — ah, I mean Lord Lottaland's horse – to him, and you are to be put in prison for the entire jousting season and for the next 30 jousting seasons to come.

Act 4. The Crown against Linda Lily

Cast of Characters:

King/Queen
Bailiff
Roxanne Rose
Linda Lily
Narrator

KING/QUEEN: I hope we are done now.

BAILIFF: Just one more case, your Royal Judgeship. It looks like a short one.

KING/QUEEN: Ok, Ok, bring it on.

BAILIFF: The Crown against Linda Lily. The victim is Roxanne Rose.

KING/QUEEN: Ms. Rose, what is your charge? Make it snappy. I'm in a hurry.

MS. ROSE: (holding a handkerchief to her nose) Your Majesty, two days ago Linda Lily punched me in the nose causing me great pain. You can see how bruised my nose is.

KING/QUEEN: Yes, yes, I see. Where is Ms. Lily?

BAILIFF: She is not here, Your Majesty.

KING/QUEEN: Good. That makes it easy. I find her guilty and order her to spend a year in prison. Arrest her immediately.

NARRATOR: The bailiff goes to arrest Linda Lily. A few minutes later Linda Lily comes running into the court, the bailiff following after her.

MS. LILY: Your Majesty, why did you have me arrested?

KING/QUEEN: Roxanne Rose said you punched her in the nose. You were not here to defend yourself. Did you not receive an order to appear in court?

MS. LILY: I did get a piece of paper early this morning, but I did not understand it. It was written in Latin and I am a poor woman who cannot afford to hire someone to help me.

KING/QUEEN: Too bad. I have already decided that you are guilty.

MS. LILY: But, Your Majesty, while it is true that I punched Roxanne Rose in the nose, I did it to defend myself. She was going to hit me because I just got the job of helper to the royal gardener, instead of her.

KING/QUEEN: You will not be gardening, you will be spending a year in jail. You have had your trial and I found you guilty.

MS. LILY: (angrily) This court is a joke. You should be the Royal Jester.

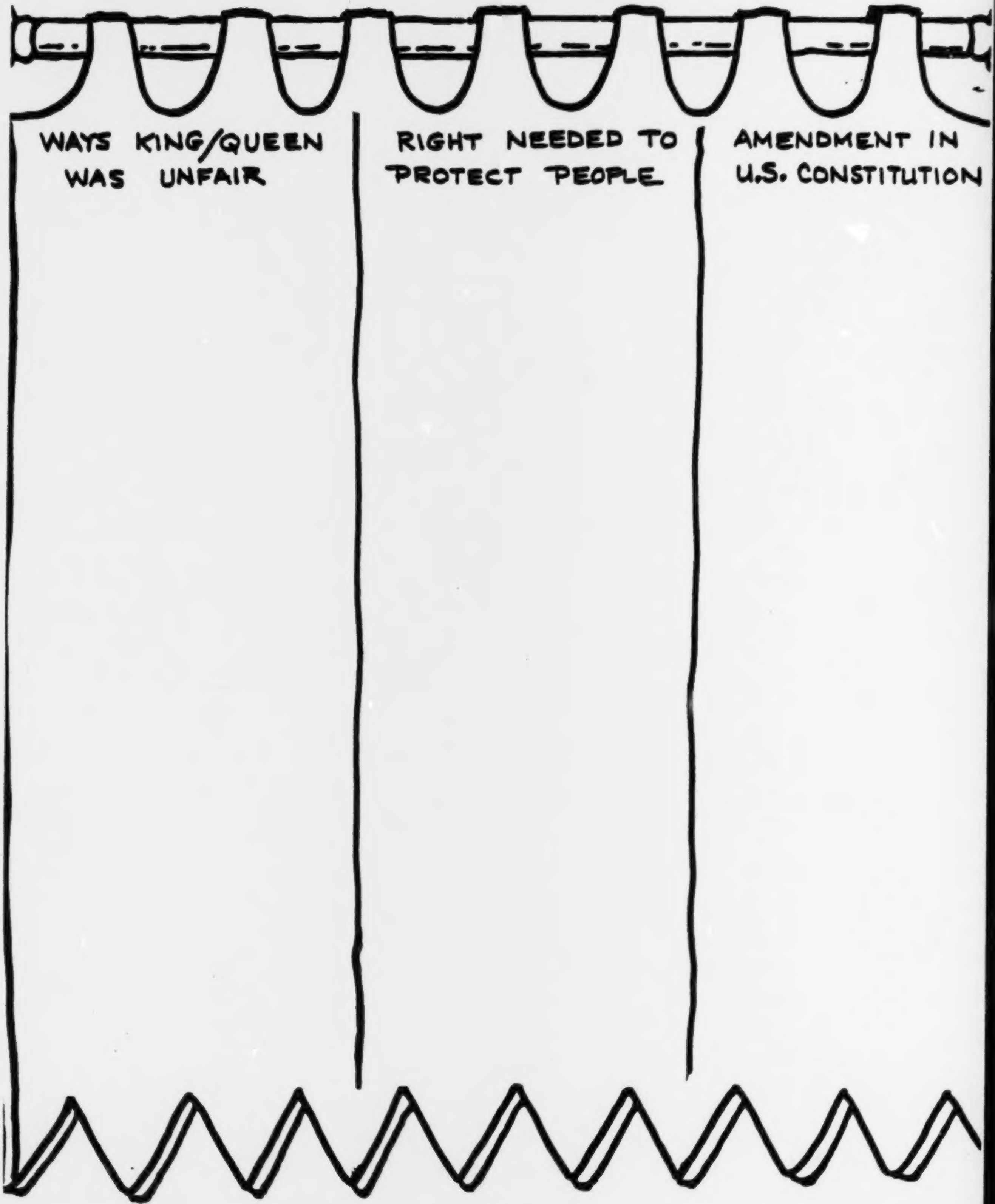
KING/QUEEN: Bailiff, lock her up and throw away the key.

NARRATOR: The people of Faircastle got so tired of the Royal Ruler and the Court's unfair decisions that they overthrew the ruler and set up a new government. But they had a hard job ahead of them. They needed to write a Bill of Rights. What are the rights that the people of Faircastle should have to prevent unfair decisions like the ones we just saw?

Adapted from "Substance and Procedure: A Simulation Strategy" by Shirley Lewis Baugher, Law in American Society, Vol. 4, No. 1, February 1975, with the permission of Law in American Society.

ACTIVITY 7-A
WORKSHEET

DUE PROCESS DENIED



WAYS KING/QUEEN WAS UNFAIR	RIGHT NEEDED TO PROTECT PEOPLE	AMENDMENT IN U.S. CONSTITUTION

ACTIVITY 8-A

THE BACKPACK INCIDENT

Read the cartoon on the next page, answer the questions below, and complete Worksheet 8-A on page 38.

1. Pretend that you are the person who had her book stolen. How do you feel? What do you expect the police to do? Do you think it's fair for the police to stop, question, and search the backpack of every dark-haired girl they see in the area? Why or why not?

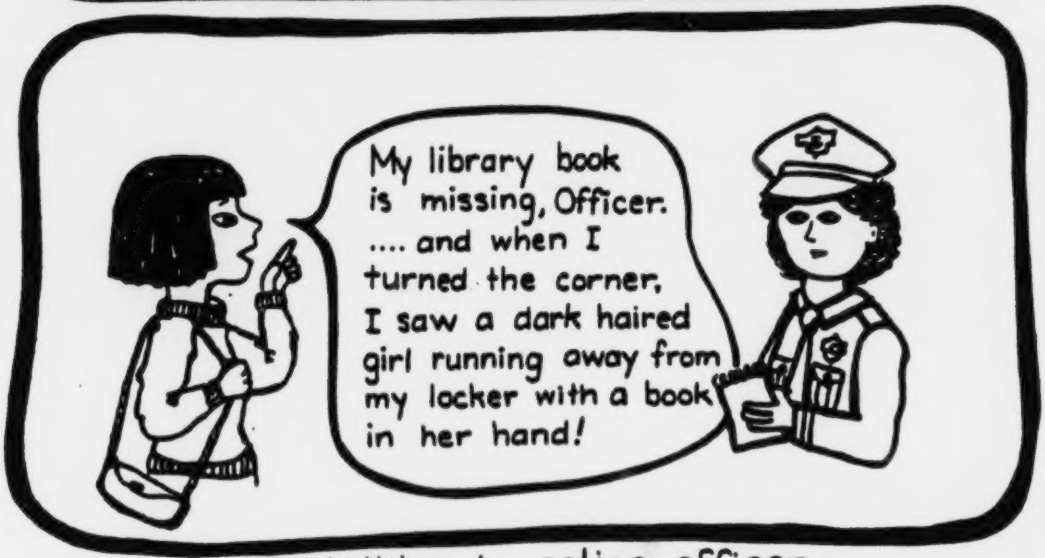
2. Pretend that you are one of the girls who had been stopped and searched by the police. How do you feel? Do you think it's fair for the police to stop and question you and search your backpack?

3. What right contained in the Bill of Rights is involved here?

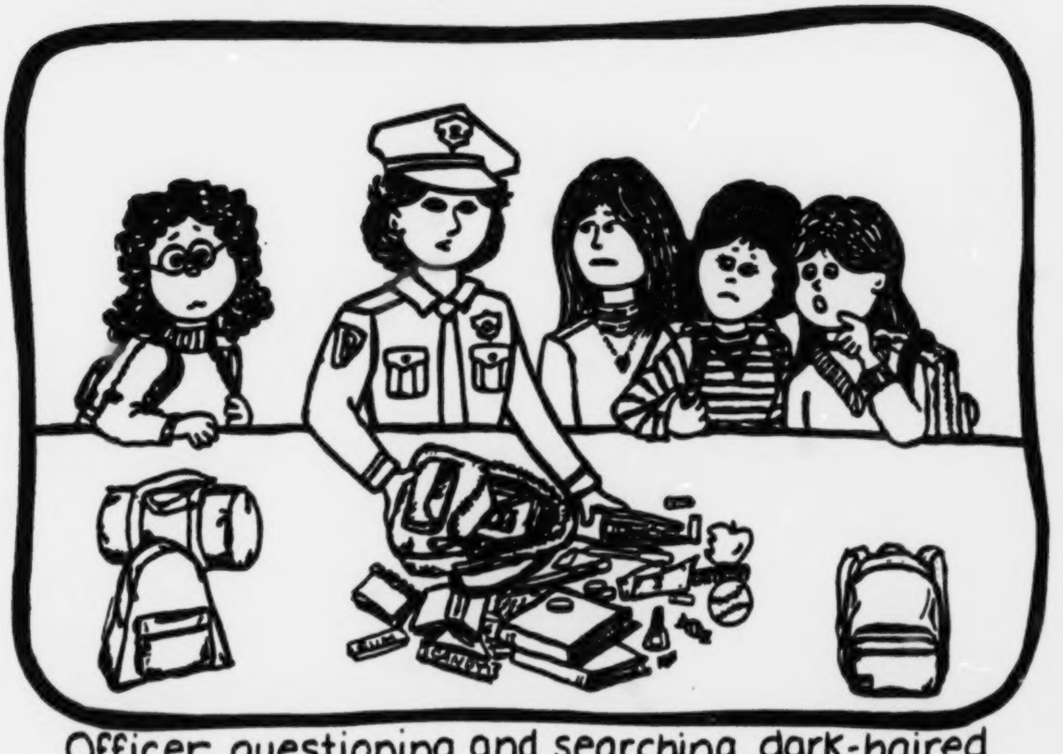
4. What is the conflict between the rights of the person who had her book stolen (the victim) and of the girls who were searched (the suspects)?

Adapted from Rickes & Ackerly, Youth Attitudes and Police (1975) with permission of West Publishing Co.

the BACKPACK INCIDENT


My library book is missing, Officer. .... and when I turned the corner, I saw a dark haired girl running away from my locker with a book in her hand!

Victim talking to police officer.



Officer questioning and searching dark-haired girls.

ACTIVITY 8-A
WORKSHEET

the BACKPACK INCIDENT

DESCRIBE THE CONFLICT BETWEEN THE RIGHTS OF THE VICTIM AND THE RIGHTS OF THOSE SUSPECTED OF THE CRIME.

NAME

ACTIVITY 8-B

WAS THIS SEARCH LEGAL?

The Fourth Amendment says that people have the right to privacy. Government – for example, the police – may not unreasonably search their bodies, their homes, or their belongings, or unreasonably arrest them or take their belongings. Notice that the Fourth Amendment does not say that government may not ever search, only that it may not conduct unreasonable searches and seizures.

How can we tell whether there has been a search that has violated the 4th Amendment's guarantee against unreasonable searches? For a search to violate the 4th Amendment all the following things have to have happened:

1. **The search must be made by government.** For example, a search by the police.

2. **The search must be in a place that one reasonably expects to be private.** If Darold McRarold steals another student's pencil and puts that pencil on the top of his desk, it is not an unreasonable search if someone looks at the top of his desk and sees the pencil. It is unreasonable to expect someone to consider the top of a desk to be private.

3. **The search must be unreasonable.** A search is unreasonable if there is no good reason to believe that
    a. a crime has been committed or is about to be committed, or
    b. the person, place, or thing to be searched is not related to that crime.

In many cases the police will need to get a piece of paper, called a warrant, from a judge before they can search.

Question

Read the following situations and decide whether the searches violated the Fourth Amendment. Explain your answers.

A. Suzanna Ho is missing a book from her locker. She tells the police that she saw a dark-haired girl running away from her locker with what looked like a book in her hand. The police stop all dark-haired girls in the area and search their purses and backpacks.

B. Samantha Derbish tells the police that the report on the Bill of Rights that she wrote for class is missing and she thinks it was taken from her locker. A police officer driving down the street sees Sylvester Slydog on his skate board. Sylvester is carrying what looks like some papers inside a yellow report cover. The police officer can see that written on the cover is *"The Bill of Rights by Samantha Derbish."* The police officer stops Sylvester and takes the report.

C. The See-All Television store reports to the police that someone has stolen a Goofy Duckling brand 21" screen color television set from the store. Johnny B. Good, who the police know is an honest person, tells the police that he saw Bart Nogood bring into his apartment a Goofy Duckling color television set that looked like the stolen set. He also tells the police that Bart told him that he stole the set. The police get a warrant from a judge and search Bart Nogood's apartment for the TV set.

D. While in Bart Nogood's apartment with the warrant to search for the TV set, a police officer sees a closed shoe box sitting on a table. The officer opens the shoe box and finds illegal drugs in it.

E. Herbie Schmerbie is in a record store looking at albums. The manager of the store sees Herbie put something in his backpack and then rush toward the front door of the store. The store manager stops Herbie and calls the police. The police look in Herbie's backpack. There are no albums. Herbie says what the manager must have seen him put in his backpack was a book that he had bought in another store. He was in a hurry to leave because he suddenly realized he was going to be late getting home for supper.

F. **Dear Abby:** My problem gets worse every day I live. My boyfriend lives in a town sixteen miles away, so we write letters to each other. I keep my letters in my cedar chest, which I lock. My key is hidden in the apron pocket of my Cabbage Patch doll.

I just know my mom is reading my letters because sometimes she makes remarks about what my boyfriend writes to me. She has even used his exact words. What can I do? Don't I have the right to my privacy? The worst part is that I am starting to distrust my mom. Isn't it illegal for my mom to search my private cedar chest?

A CONFUSED THIRTEEN-YEAR OLD

ACTIVITY 9-B
THE LETTER "A"

Two children, Kevin Krogge and Beverly Allen, attend Arnold Adams Public School. At Adams School, the principal, Aaron Albert, has decided that any child whose last name begins with the letter A will receive special treatment at school.

ARNOLD ADAMS
PUBLIC SCHOOL

A rule at Adams School states, "Everyone has to eat lunch in the cafeteria." One day Beverly and Kevin eat lunch in the gym because they want to watch a rehearsal of the school play. The drama teacher sees them.

Both have broken the same rule, but because of Adams School's policy about last names, the drama teacher believes Beverly should not be punished as severely as Kevin. Beverly is punished by having to stay after school one day. Kevin is punished by having to stay after school five days.

Questions

1. What is the problem in this story?
2. How was Kevin treated unfairly?
3. If you were in Kevin's place how would you feel about being treated unequally?
4. What right in your Extended Bill of Rights summary applies to this situation?
5. Why does the right apply to this story?

ACTIVITY 9-C

IS EQUAL TREATMENT FAIR?

In each of the situations described below, decide if it is fair to treat the children the same or to treat them differently.

1. Uncle Jack brings a glider and a kite to Bobby and Becky's house. Bobby and Becky like both gifts. Bobby cannot decide which gift he likes best and wants them both. Uncle Jack gives both the glider and the kite to Bobby. Is this fair?

2. Aunt Bea has two puppies she wants to give away. Jason loves animals and treats his pet animals well. Mike has had some animals, but failed to feed and take care of them. Aunt Bea gives both puppies to Jason. Is this fair?

3. Mr. Snow, the 5th grade teacher, wants volunteers to clean the chalkboards after class every day for the next two weeks. Both Amy and Katie want to clean the boards. Amy is tall and can reach the top of the chalkboard; Katie is short and cannot reach the top. Mr. Snow decides that Amy will clean the chalkboards for the full two weeks. Is this fair?

4. Neither Natalie nor Nathan likes to take baths. While they are outside playing, Natalie gets very dirty and Nathan does not. Their father makes Natalie take a bath, but not Nathan. Is their father being fair?

5. Both Johnny and Joan enjoy playing soccer. Johnny is a very good soccer player. Joan does not play soccer very well. Johnny is allowed to play soccer during recess, Joan is not. Is this fair?

6. Mrs. Hopkins, the next door neighbor, has told Derek and Amber that she is going to make cookies for a bake sale and would like them to help her. Derek helps, but Amber does not because she would rather play outside. When the cookies are done both Derek and Amber want some. Mrs. Hopkins gives two cookies to Derek, but none to Amber. Is this fair?

ACTIVITY 9-D

THE FOX AND THE STORK

Read the following fable and answer the questions.

A fox invited a long-beaked stork to have dinner with him.

"I hope you don't mind sharing the same dish with me," said the fox. "It is our custom in the woods to eat together to show that we are friendly."

"Not at all," said the stork politely.

The fox brought a wide, shallow bowl of thin soup and set it between them.

"Please help yourself," he said, settling down to lap the soup with his long pink tongue.

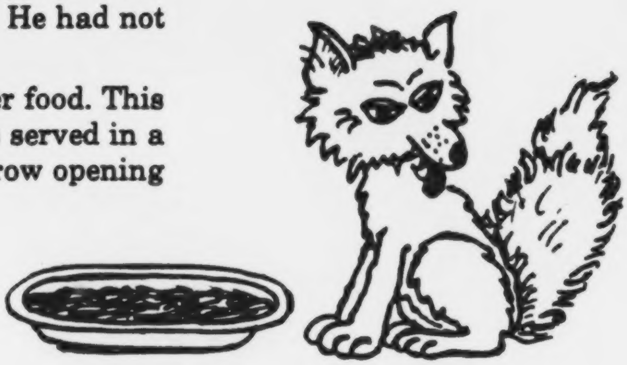
The stork stood with her long legs apart and put the tip of her long, thin beak into the soup; but although she tried to scoop up the thin liquid it was quite impossible for her to do so. Even when she did manage to hold a few drops in her beak they were lost long before they could trickle down to her throat. Too polite to complain, the stork went home hungry while the greedy fox lapped up all the soup. As she left she heard him laughing to himself at his own cleverness.

A few days later the stork invited the fox to have dinner with her in return and the fox made his way to her home.

"It is our custom to share a dish, too," said the stork. "I hope you will join me."

"Certainly, certainly," said the fox, licking his lips. He had not eaten all day.

The stork brought her food. This time, however, it was served in a tall, thin jug with a narrow opening at the top.



"Please begin," said the stork, thrusting her beak into the jug. "Mmmm. It is good."

Of course the fox could not get his nose into the jug at all. All he could do was sniff hungrily at the delicious smell and lick the occasional drop that spilled over the side.

"I suppose I can't complain," he said to himself sadly as he made his way back to the woods. "After all, I taught her the trick myself."

Questions

1. What is the moral of the story?
2. Can you think of any other situations where it is not fair to treat people equally?

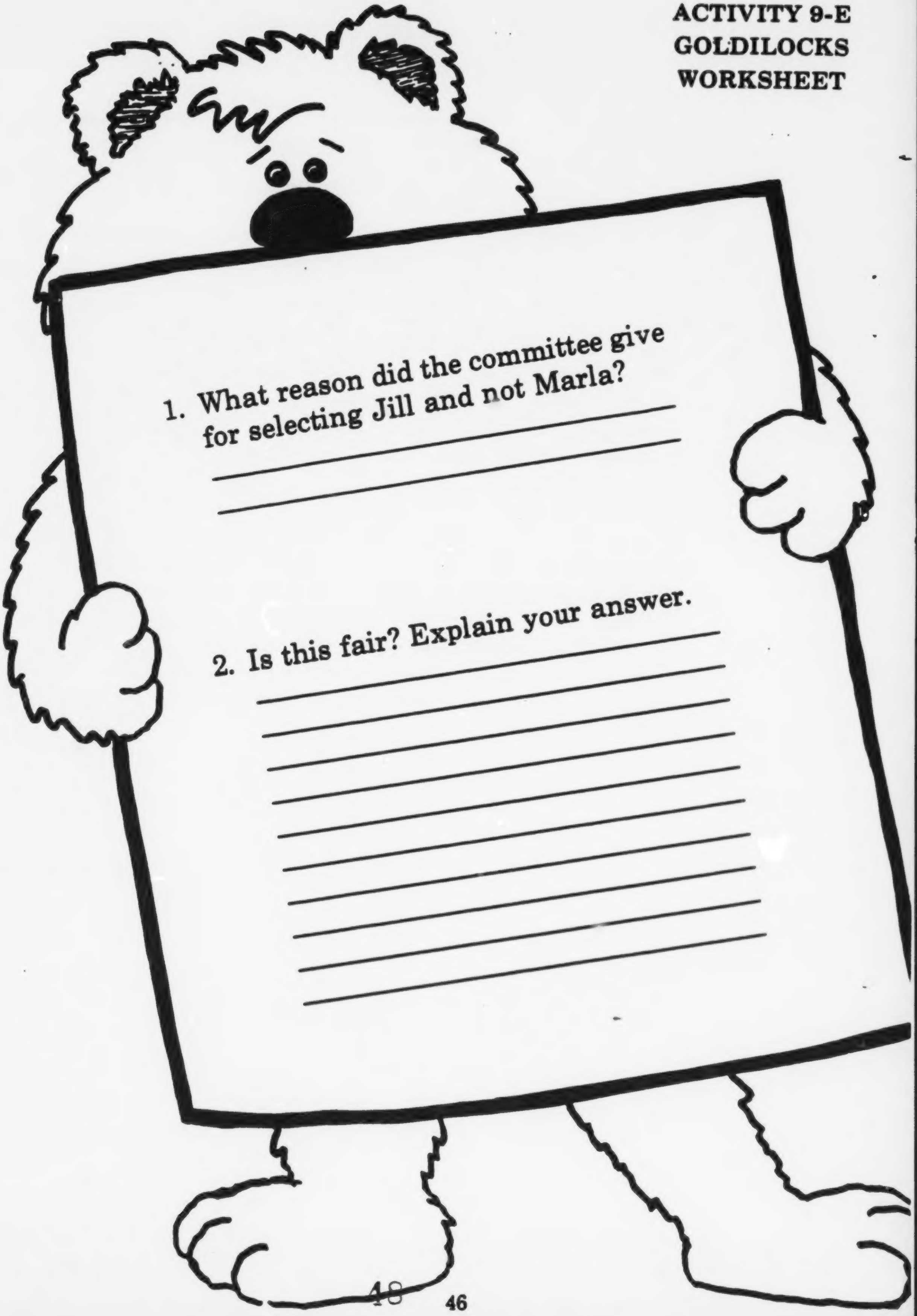
ACTIVITY 9-E
GOLDILOCKS

Read the following situation and answer the questions on the worksheet on the next page:

The class is putting on the play "Goldilocks and the Three Bears." All of the children will have a part in the play, but there are only four starring roles. A committee of five children has been appointed by the teacher to select the people for the four starring roles. Children wanting each role have to try out for the part.

The tryouts for the part of Goldlilocks are held on Wednesday. Only Marla, a black dark-haired girl, and Jill, a white blonde-haired girl, try out for the role of Goldilocks. Marla really wants the part. She loves to act and is a talented actress who goes to drama class every Saturday. However, when the committee announces its decision, Jill gets the part of Goldilocks. Marla is very upset and asks the committee why she has not been selected. The committee tells Marla that the part demands a blonde because Goldilocks has blonde hair.

ACTIVITY 9-E
GOLDILOCKS WORKSHEET



1. What reason did the committee give for selecting Jill and not Marla?

2. Is this fair? Explain your answer.

ACTIVITY 9-G
RESEARCH REPORT

1. Research the life of a famous person who was discriminated against or who sought equal justice for some group of people.

2. Find out how the person who was discriminated against was denied equal protection of the law and what he or she did about it, or whether the person who sought equal justice for some group was successful in getting it and, if so, how.

3. Use the worksheet on the next page to begin your written report.

4. Report your findings to the class.

LESSON 9-G
WORKSHEET

RESEARCH

ACTIVITY 9-H

IF I WERE IN CHARGE OF THE WORLD....

If I were in charge of the world,
I'd cancel "Fatso", "Dummy", all name calling
and also any making fun of people who are different.

If I were in charge of the world,
There'd be equal chances for everyone.
Enough good feelings to go around and
Plenty of, "Hey, you are OK!"

If I were in charge of the world,
You wouldn't have "No Children Allowed,"
You wouldn't have "No Girls Allowed,"
You wouldn't have "Only Boys Can Play"
or "I'm not prejudiced, BUT . . .",
You wouldn't even have prejudice.

If I were in charge of the world,
Martin Luther King's DREAM
would be a REALITY and
"All children would be judged
by the content of their character,
Not the color of their skin."

IF I WERE IN CHARGE OF THE WORLD....

ACTIVITY 9-H
WORKSHEET

If I were in charge of the world,
I'd cancel ______________________________,
______________________, ______________________, and also
____.

If I were in charge of the world,
There'd be ______________________________,
____, and
____.

If I were in charge of the world,
You wouldn't have ______________________________.
You wouldn't have ______________________________.
You wouldn't have ______________________________.
Or, "____."
You wouldn't even have ______________________________.

If I were in charge of the world,
A ____
Would be a ______________________________________.
All ______________________ would be ______________.
And a person who sometimes forgot to ______________,
Would still be allowed to be
In charge of the world.

The Democratic Republican

ACTIVITY 10-A

WORKSHEET

Cartoon

Draw a picture of yourself exercising (using) one of your 1st Amendment rights.

Editorial

Choose one of the 1st Amendment rights and write how our country would be different if we did not have that right.

NAME

The Democratic Republica

True/False

1. Constitutional rights are freedoms that belong to everyone in this country.

2. The Bill of Rights is part of the Declaration of Independence.

3. It is against the law to make speeches saying the government is no good.

4. The government cannot force you to believe in a particular religion.

5. A large group of people are gathered on the steps of the Capitol, peacefully protesting the governor's actions. It is proper for the police to arrest them.

A Problem

One day when Rachel and David went to church, they found a big sign on the padlocked door to the church that said:

It is against the Law to worship in this building
Signed...The Mayor

Upset at having no place to worship, Rachel and David protested that the closing of their church was unfair. When the Mayor heard of this protest, she had Rachel and David arrested for disturbing the peace. Rachel and David were thrown in jail where they stayed until the new city mayor released them 1 year later.

What constitutional rights, if any, were violated (broken) in this story?

ACTIVITY 10-B

Chief Joseph of the Nez Perce Speaks

"You might as well expect
the rivers to run backward
as that any man
who was born a free man
should be contented
when penned up
and denied liberty
to go where he pleases.

Let me be a free man
— free to travel,
free to stop,
free to work,
free to trade where I choose,
free to choose my own teachers,
free to follow the religion of my fathers,
free to talk
and think
and act for myself."

Questions

1. What attitudes towards freedom do you think Chief Joseph's words express?

2. Why do you think he might have had some of these attitudes?

3. According to Chief Joseph what are some of the basic rights a person must have in order to be free?

ACTIVITY 10-C
WORKSHEET

CHOOSE ONE

Choose one freedom guaranteed by The Bill of Rights and write a paragraph about a real life experience, showing how important your rights are.

NAME

ACTIVITY 10-D

THE RIGHTS GAME

This is a game for 2 to 6 players. The rules of the game are:

1. One player is selected as the dealer and deals each player a card. The remaining cards stay in the middle of the table, face down.

2. The player to the left of the dealer reads his or her card and says:
   a. whether the card describes a violation of the Bill of Rights,
   b. if it does, what right was violated.

3. If a player correctly says that the Constitution was violated and correctly identifies which right was violated he or she gets - **5 POINTS.**

   If a player correctly says the Constitution was not violated he or she gets - **5 POINTS.**

   If a player does not give a correct answer he or she **LOSES 5 POINTS.**

4. After a player has given an answer the card is placed on a second pile and the player picks a new card from the first pile and waits his or her turn.

5. If all the cards in the first pile are used up, the second pile is shuffled and used again.

6. First player to gain **30 POINTS** is the winner!

ACTIVITY 10-E

MOCK TRIAL

B.B. WOLF (a/k/a BIG BAD WOLF)
v.
CURLY PIG

Participants In The Trial:

Judge
B.B. Wolf
Curly Pig
Jack Smith
Plaintiff's Counsel
Defendant's Counsel
Jurors
Bailiff

Prepared by Carol White, Chicago, Illinois

Used with the permission of The American Bar Association

The scene is the Onceuponatime Courthouse. The Bailiff enters the courtroom and calls the case of B.B. Wolf, vs. Curly Pig. Wolf is seated with his attorney at the plaintiff's table, Pig with his counsel at the defendant's table.

JUDGE: This is the case of Wolf vs. Pig. As I understand the pleadings, the charge against Pig is attempted Wolf cooking. Now, are there any opening statements?

ATTY FOR WOLF: Your honor, in this case, we will show that last August 19, the defendant, Mr. Pig, did indeed attempt to cook the plaintiff. We will show that he placed a steaming cauldron of boiling water in a spot where he was sure Mr. Wolf would show up, and that furthermore, his cookbook was found open to the recipe for Poached Wolf. Thank you your honor.

JUDGE: Does the attorney for Curly Pig have any opening statement?

ATTY FOR PIG: Your honor, Mr. Wolf's charge is ridiculous. We will show that the cauldron was inside Mr. Pig's home--a home Mr. Wolf was trying to forcibly enter. We will also show that Mr. Wolf's actions were just the latest in a long series of harassments of the Pig family-- harassments that include the eating of Mr. Pig's two brothers, Larry and Moe. We will show that Curly Pig was merely protecting his home and life.

JUDGE: Very well, call your first witness.

ATTY FOR WOLF: I call B.B. Wolf as my first witness.

(B.B. Wolf gets up, goes forward to be sworn in.)

JUDGE: Please raise your right paw.

(B.B. Wolf does so.)

JUDGE: Do you swear that the evidence you are about to give is the truth, the whole truth and nothing but the truth?

WOLF: I do.

JUDGE: Please be seated.

ATTY FOR WOLF: Please state your name.

WOLF: My name is Big B. Wolf. Most of my friends just call me B.B.

ATTY FOR WOLF: Where do you live?

WOLF: Oh, I've got a nice little den in the woods outside (insert local city). You know its got redwood paneling. I've got a pretty nice stereo.

ATTY FOR WOLF: A kitchen?

WOLF: Well, uh, I uh, eat out a lot, you might say.

ATTY FOR WOLF: Ah, yes. Well, let's move on to the morning of August 19, 19___ Do you recall your whereabouts on that morning?

WOLF: Yes, I do. Quite clearly, actually. I was taking my usual morning stroll and I passed the house of my old pal, Curly Pig. I was admiring his house – its quite well built, you know – and thought I'd pay good old Curly a visit and tell him just that – what a fine job he'd done in building that place of his. Anyway, I knocked on the door and called out his name, but there was no answer. And so I knocked harder and called out louder, but still there was no answer. And then I sat down on the front porch to wait. I figured Curly was probably out at the store or something and would be back in a minute. You see, I really did want to see my old buddy, and I don't get into that neighborhood all that often. And then it hit me, Curly is a real sound sleeper and was probably just sleeping in. I thought if I just left, he'd be sorry I hadn't woken him. So I tried to think of a way I could get into the house to wake him up. And I thought and I thought and finally it came to me – I could climb down the chimney!

ATTY FOR WOLF: And so did you?

WOLF: Well, yes and no. That is, I started to, but when I got almost all the way down, suddenly someone took the lid off this cauldron of water boiling down there. Someone who wanted me to fall into the kettle.

ATTY FOR PIG: Objection! The witness is guessing at my client's motives.

JUDGE: I agree. Objection sustained. Continue, Mr. Wolf.

WOLF: Well, lucky for me, the steam was so powerful that it just sort of wooshed me right up and out of the chimney. I took off like all get out and decided Curly Pig was no friend of mine.

ATTY FOR WOLF: Your honor, that is all of our evidence. The Wolf rests.

JUDGE: Very well. We will now hear Curly Pig's side of the case.

ATTY FOR PIG: Your honor, as my first witness, I call Mr. Jack Smith.

(Jack Smith, a middle-aged man in his business suit gets up, comes forward, raises his hand to be sworn. Judge administers the oath. Smith sits down.)

ATTY FOR PIG: What is your name?

SMITH: My name is Jack Smith.

ATTY FOR PIG: What is your occupation?

SMITH: I run the J. Smith Building Supply Company.

ATTY FOR PIG: Mr. Smith, are you familiar with the Pig family?

SMITH: Well, I've got quite a few Pigs among my customers. There's Porky Pig. And Higgeldy Piggeldy. And of course, Miss Piggy.

ATTY FOR PIG: Then let me be more specific. Are you familiar with the Three Little Pigs – Larry, Moe, and Curly?

SMITH: Ah, yes. Now there's a sad story for you.

ATTY FOR PIG: Just how is it you came to know the Three Little Pigs then?

SMITH: Well, when their poor mother sent them out into the world to make their own ways, they each came to me for building materials for their houses. The first brother, Larry, came to me and asked for a bundle of straw to build a house. I told him, "Kid,this isn't going to give you the tightest security," but he insisted on straw, and so I sold him a bundle.

ATTY FOR PIG: Do you know if that house ever got built?

SMITH: Oh, it got built all right. But it didn't last long.

ATTY FOR PIG: Just what do you mean by that?

SMITH: Well, right after he got it built – I think it was the day after that nice little house-warming party he had – that old wolf over there (points at plaintiff) – he's always up to no good...Why it wasn't a week before that he was over on the other side of the forest making trouble for Little Red Riding Hood and her poor Granny.

ATTY FOR WOLF: Objection! This testimony about Little Red Riding Hood is completely irrevelant to the case at hand.

JUDGE: Objection sustained. Mr. Wolf's attorney is correct. Proceed, Mr. Smith, but try to stay on the track.

SMITH: Harumph. Well, the wolf came over to the Little Pig's house and said, "Little Pig! Little Pig! Let me come in!" And the pig said, "Oh no, by the hair on my chinny chin chin." So the wolf got mad and said, "Then I'll huff and I'll puff and I'll blow your house in." So he huffed and he puffed and down came the house and he ate up the little pig.

JUDGE: Did I hear your correctly, Mr. Smith? Did you say he ate the pig up?

SMITH: Yes indeed, your honor. We're talking major porkocide.

ATTY FOR WOLF: Objection! I don't think we need that kind of uncalled-for character assassination from the witness.

JUDGE: Sustained. Mr. Wolf's attorney is correct.

ATTY FOR PIG: Mr. Smith, did you not also sell building materials to Curly Pig's other brother, Moe?

SMITH: Sure did. He wanted to build with sticks. I tried to talk him out of it. I said, you know, kiddo, you're going to have a lot of draft problems with a twig house, not to mention wolf problems. But he was set on a twig cabin, and so I sold him a load.

ATTY FOR PIG: And can you tell the court the present state of that house?

SMITH: I guess you'd call its present state gone. Pretty much as soon as Moe had that cabin finished, old B.B – notice how he didn't want to mention that the middle B stands for Bad – stopped by with his "Little Pig! Little Pig! Let me come in!" routine. And Moe said, "Oh no! By the hair on my chinny chin chin." And the wolf said, "Then I'll huff and I'll puff and I'll blow your house in." And he did just that, and ate up poor little Moe same as he did Larry. At this point, everyone was beginning to get the picture that B.B. didn't have any good intentions toward those Little Pigs. And so I for one was glad when Curly came to me and wanted to build his place out of bricks – a nice little colonial was just what he had in mind...

ATTY FOR WOLF: I really must object to this entire line of questioning, your honor. The witness' testimony is pure hearsay. He never actually saw any of these things happen.

JUDGE: Sustained. Perhaps, solicitor, you could move to another line of questioning.

ATTY FOR PIG: Actually, your honor, I'm through with this witness. If Mr. Smith could step down, I'd like to call my client, Curly Pig, to the stand.

(Curly Pig rises, comes to stand, is sworn in, sits down.)

ATTY FOR PIG: Please state your name.

PIG: Curly Pig.

ATTY FOR PIG: What is your address, Mr. Pig?

PIG: I live at 283 Sty Lane, just off Mud Avenue.

ATTY FOR PIG: Now, Mr. Pig, are you familiar with the plaintiff in this case, Mr. B.B. Wolf? Are you, as he has testified, a good old pal of Mr. Wolf's?

PIG: Are you kidding? That wolf in sheep's clothing?

WOLF: Now wait a minute. Just because I'm wearing my sheepskin suit. Is there some law against that?

PIG: He's just tying to look innocent. But he's not, let me tell you!

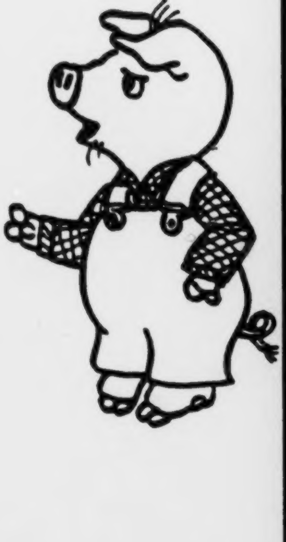
JUDGE: Gentleanimals, please. If you don't stop this bickering, I'll have to hold you both in contempt of court. Let's proceed with the questioning.

ATTY FOR PIG: Going back a bit, then, Mr. Pig – how did you first come to know Mr. Wolf?

PIG: Well, not under the friendliest of circumstances. I started knowing of him when he huffed and puffed and blew in the houses of my brothers, Larry and Moe. I mean talk about excessive! Nobody told this guy breaking and entering doesn't mean breaking the whole house and then entering it.

ATTY FOR PIG: When did you come to know Mr. Wolf personally?

PIG: After he'd done in my brothers, I guess B.B. thought I'd be easy pickings. What he hadn't counted on was that I'd built my house out of bricks. And so when he came over one morning with his cheap "Little Pig! Little Pig! Let me in!" trick, I just told him no way, by the hair of my chinny chin chin, and kept right on watching TV. "Then I'll huff and I'll puff and I'll blow your house in," he said, and I laughed. I just went into the kitchen to make myself a snack. Just a small one. I don't like to make a wolf of myself. Anyway, all the while I was in the kitchen, I could hear him out there huffing and puffing. When I went to bed that night, he was still huffing and puffing, but he wasn't going to get in. I made sure of that when I built that house with bricks.



ATTY FOR PIG: And that was the last you ever saw of Mr. Wolf?

PIG: Are you kidding? That was only the first I saw of him. About a week later, he came by and said – real sweetly – "Oh Little Pig, I know where to find the loveliest sweet turnips." He must have known pigs are fools for turnips. Anyway, I asked him where. "Oh," he said, "In Farmer Brown's farm. If you're ready tomorrow morning at six, I'll come by for you and we can go there together and get some for our dinner." Boy, that wolf must think I'm dumb. I knew that those turnips were only going to be the side dish in his dinner. And I knew just who he had in mind for the main course.

ATTY FOR PIG: And so you didn't go?

PIG: And so I got up at five, picked my turnips and was back home having turnip stew by the time he came by at six.

ATTY FOR PIG: What was Mr. Wolf's reaction to this?

PIG: Oh, he was fuming all right. But he didn't show it. That wolf is one cool cucumber. He just watched me eating my stew and said, through the window, real sweetly, "Oh Little Pig, I know where you can get the juiciest red apples. I know where there is a tree just full of them." Being a curious fellow, I asked him where. "Oh, in Farmer Green's garden. If you're ready at five o'clock tomorrow morning, I'll take you there." I said fine. Of course, the next morning, I was up and off to Farmer Green's garden at four.

ATTY FOR PIG: And back home eating apple pie at five?

PIG: Nope. Old Wolfie is pretty smart. He had me figured out by then. So he got up at four, too. I had just finished my picking and was about to come down out of the tree with a big bag of red apples when I looked down and saw old B.B. looking up at me, grinning with those rather largish choppers of his.

ATTY FOR PIG: So what did you do?

PIG: Well, I tried to do some fast thinking. He said, "Good morning, Curly. My, but you're up early. How are the apples?" A real cool cucumber, like I told you. But I can be cool, too. I said, "They're delicious, wait a moment and I'll throw one down to you." And I threw it so far that I was practically home by the time he found it.

ATTY FOR PIG: And that was the last time you saw Mr. Wolf before August 10?

PIG: Oh no. He came by one morning later that week. This time he had a new trick. "How would you like to go to the fair, Curly?" he asked me. I said sure, just to see what he had up his sleeve. "Well then," he said, "be ready at three this afternoon and I'll come by for you." Well, I went to the fair by myself around noon and was on my way back with a butter churn I'd bought when who did I see coming up the hill toward me but old Wolfie himself.

ATTY FOR PIG: What happened then?

PIG: I got inside the churn to hide. But I tipped it over getting in and it started rolling down the hill with me inside it. I guess the strange sight of a churn on the loose like that scared the living daylights out of him. At any rate, he took off like a shot. The next day, he came to my house and told me he was sorry he had missed me the day before, but that just as he was coming for me, something strange had come rolling down the hill and frightened him so much that he had run straight home. Well, I had to laugh and tell him what had frightened the big bad wolf so much was just me rolling down the hill in a butter churn. I think it might've been right about then that he decided to eat me up.

ATTY FOR PIG: How did you know this?

PIG: Well, I didn't know it, but he had this look in his eye – a nasty glint – and then he started climbing up the side of the house. At first I couldn't imagine what he was doing, and then it came to me – the chimney! And so I rushed to the fireplace – I already had a big pot of water on the fire, boiling for my tea – and took the lid off. I only wanted to warn him off. How was I to know he was already climbing down the chimney?

ATTY FOR PIG: Thank you, Mr. Pig. That's all the questions I have.

ATTY FOR WOLF: I'd like to cross examine the witness if I may. *(He steps forward to witness stand.)* Mr. Pig, I've been listening to this account of your dealings with Mr. Wolf, and it seems to me that you were doing an awful lot of teasing and baiting of my client. Wouldn't you say that's true?

PIG: Well, maybe I was having a little fun with the old boy, but seeing as he was trying to eat me, that doesn't seem like such a great crime does it?

ATTY FOR WOLF: I'll ask the questions here, if you please. What about the reports that the cookbook next to your fireplace was found open to the recipe for Poached Wolf? Is this true?

PIG: Yes, but it's not how it seems. I had it open to Warm Apple Pie. I was going to bake one with my extra apples. But then, when I took that lid off that cauldron, I guess that shot of steam must've flipped a few pages forward to Wolf, Poached.

ATTY FOR WOLF: You expect the court to believe that?

PIG: Well, it's the truth, by the hair on my chinny chin chin.

ATTY FOR WOLF: All right, Mr. Pig. Thank you. You may step down.

(Pig steps down.)

JUDGE: Are there any summaries?

ATTY FOR WOLF: Your honor, we have shown that Mr. Pig did, on several occasions, taunt and tease Mr. Wolf, that he did lift the lid on the cauldron just as Mr. Wolf was coming down the chimney to pay him a visit, and that his cookbook – and let the fact speak for itself – was open to the recipe for Poached Wolf. I'm sure the jury agrees that he was attempting to do harm to Mr. Wolf.

ATTY.FOR PIG: Your honor, we have shown that Mr. Wolf had it in for the Pig family. Clearly, he was up to no good any of the times he came over to Curly Pig's house. Mr. Pig is a law-abiding citizen who was minding his own business when Mr. Wolf began harassing him. If he teased Wolf, well he certainly was egged on to it. I'm sure the jury will agree that his lifting the lid off the kettle and his cookbook opening to the wolf recipe just as Mr. Wolf came down the chimney were mere coincidences. He did not mean any real harm to come to Mr. Wolf.

JUDGE: Thank you. Does that conclude the evidence?

ATTORNEYS: (both) Yes, it does.

(Judge turns to jury.)

JUDGE: You now have heard the evidence. Now it is your job to decide whether Mr. Pig was trying to poach Mr. Wolf. Will you please go with the Bailiff to the jury room and after you have decided, would you please come back and inform the court whether Curly Pig was trying to do in Mr. B.B. Wolf by lifting the lid off the cauldron of boiling water just as Mr. Wolf was coming down his chimney?

(Bailiff takes the jurors to the jury room. After a while, jurors come back with a verdict.)

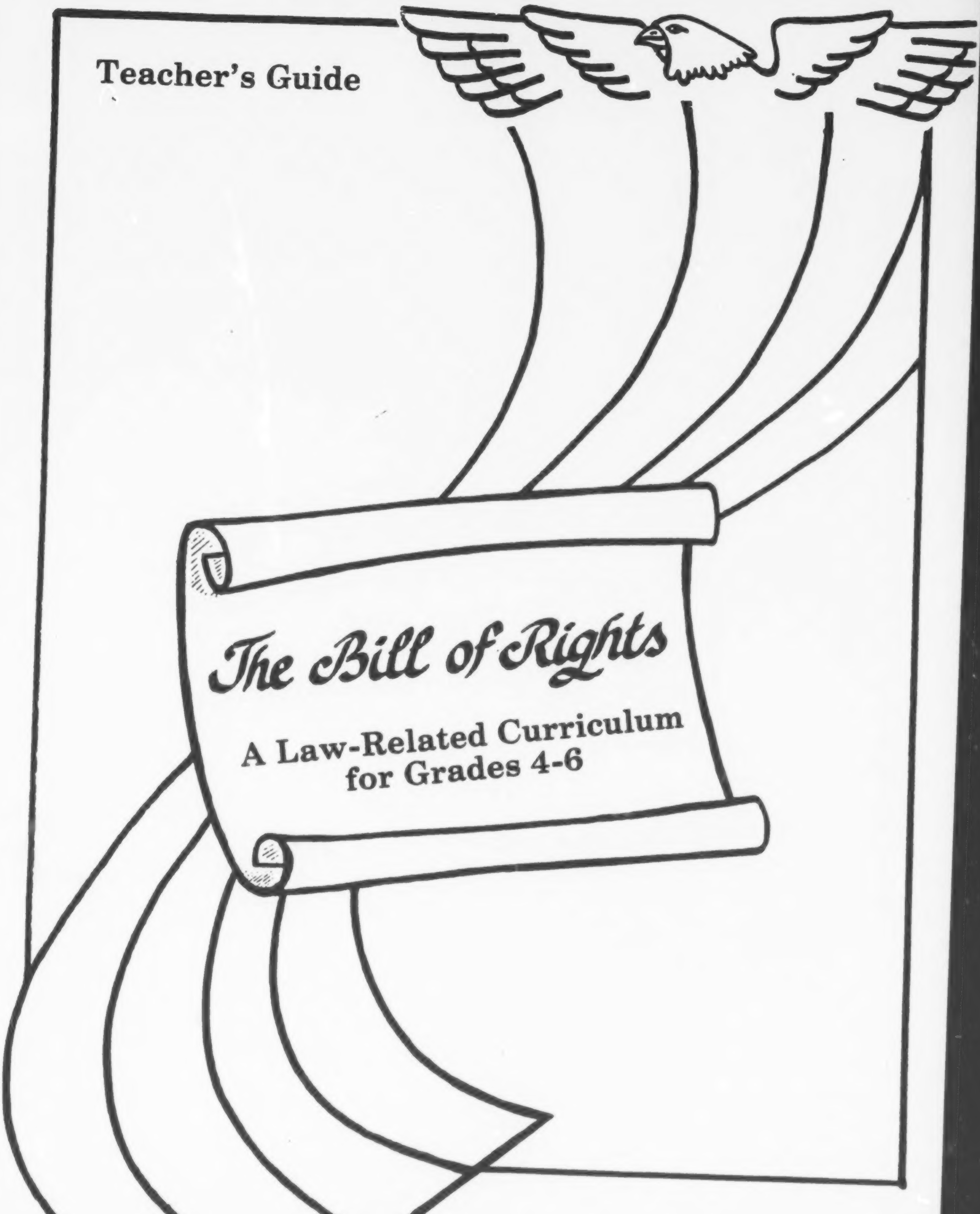
JUDGE: Have you reached a verdict?

JUROR: Yes, we have, your honor.

JUDGE: What is the verdict?

JUROR: The jury has voted and has determined that...

Teacher's Guide



The Bill of Rights

A Law-Related Curriculum for Grades 4-6

THE BILL OF RIGHTS

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for Grades 4-6

Teacher's Guide

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THE BILL OF RIGHTS
A LAW-RELATED CURRICULUM FOR GRADES 4-6

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THE BILL OF RIGHTS
A LAW-RELATED CURRICULUM FOR GRADES 4-6
Rationale and Introduction to the Course

Children, like the rest of us, are reminded from time to time that "ignorance of the law is no excuse." Yet children often are ignorant of the law and are not provided with any systematic instruction to inform them about it. This deficiency is especially unfortunate and unnecessary with regard to the fundamental law of the United States--the Constitution and Bill of Rights. It is unfortunate because the constitutional rights of liberty, justice, and equality are critical to each citizen's relationship to the nation and, ultimately, to the survival of our democracy. It is unnecessary because the school setting provides an excellent opportunity for introducing children to these critical concepts. With suitable materials, teachers can tap into the rich quarry of stimulating legal issues to increase children's comprehension of the law and improve their reasoning skills.

The importance of early development and primary socialization, coupled with the educational system's principal function of teaching cognitive competencies, underscores the desirability of introducing concepts of fundamental rights in the early grades. Undertaking such instruction presently is especially well-timed because of the impending bicentennial anniversaries of this nation's basic charters. In 1987 the United States Constitution will be 200 years old; 1991 marks the 200th anniversary of the Bill of Rights. These observances give teachers an extraordinary opportunity for arousing student interest through effective classroom activities.

These curriculum materials focus on the individual and personal freedoms as guaranteed by the U.S. Constitution and as interpreted by the courts -- namely, the idea of fundamental rights as expressed through the concepts of **liberty, justice, and equality.**

The materials are in two parts: student materials and a teacher's guide. The student materials include readings, worksheets, hypothetical problems, and case studies. The teacher's guide contains Goals and Objectives for each lesson, Points of Law which explain the legal concepts involved in each lesson and which are intended as background information for the teacher, and explanations of and recommended directions for each activity. Some of the activities have been labeled enrichment activities. They provide the student with additional practice on points already introduced.

The curriculum may be taught as a whole or each lesson can be treated separately. It is recommended, however, that Lessons 1 and 2 be introduced before teaching any of the other lessons. Teachers who would like to teach all of the lessons, but feel that they do not have time, may want to eliminate some of the activities. For these teachers the following activities are recommended as a mini-course:

Lesson 1: 1-A, 1-B, 1-C, 1-D
Lesson 2: 2-A, 2-B
Lesson 3: 3-A, 3-B
Lesson 4: 4-B
Lesson 5: 5-A
Lesson 6: 6-A
Lesson 7: 7-A
Lesson 8: 8-A
Lesson 9: 9-A, 9-C
Lesson 10: 10-D

The lessons have been designed for use either with or without drawing upon outside resources. Periodically inviting lawyers, judges, police officers, and other law-related personnel into the classroom, however, will add an extra dimension to the curriculum. These community resource people can help to answer students' questions that go beyond the materials and also can enliven the lessons with examples from their experience. For help in finding individuals who can enrich these lessons, contact:

Director of Law-Related Education
Nebraska State Bar Association
P.O. Box 81809
Lincoln, NE 68501
402/475-7091

The teaching of legal concepts is both challenging and worthwhile. To make meeting the challenge as easy as possible, these lessons are clearly presented and simple to teach. They also provide a foundation for experimenting with your own instructional ideas and taking advantage of the special opportunities that arise as students become genuinely involved in thinking about the law.

Both the student and teacher materials may be photocopied for educational purposes. In the back of this Teacher's Guide is a Curriculum Evaluation Form. We would appreciate it if the users of these materials would complete a copy of this form and mail it to the address indicated on the form.

TEACHING INSTRUCTIONS

Activity 1-A: Needed: A Bill of Rights

Purpose: To provide the students with a brief historical background on the writing of the Constitution and the later addition of the first ten amendments or Bill of Rights.

Student Materials: Monograph and questions, "Needed: A Bill of Rights", pp. 5-7.

Directions:

1. Instruct the students to read the monograph.
2. Lead a discussion of the questions following the monograph.
3. In responding to question 4, ask the students to write a paragraph explaining in their own words why the Bill of Rights was added to the Constitution. Their explanations should include the issues and concerns that led to amending the Constitution by adding the Bill of Rights.

Activity 1-B: Rights, Privileges, Rules

Purpose: To distinguish rights from privileges and rules.

Student Materials: "Rights, Privileges, and Rules" definitions, problems, and worksheet, pp. 8-10.

Directions:

1. Explain that one problem people often have with understanding rights is that it is easy to confuse rights with privileges and rules.
2. Ask the students to describe rights, privileges, and rules. Have them compare their definitions with the definitions found on page 8of the student materials.
3. Direct the students to categorize the items on page 7 of the student materials as rights, privileges, or rules using the worksheet on page10.Ask the students to explain their responses.

Activity 1-C: Inalienable Rights

Purpose: To demonstrate that rights, like those contained in the Bill of Rights, are so important that they cannot easily be taken away, even by a vote of the majority.

Student Materials: "Larry Lawrence" hypothetical, p. 11.

Directions:

1. Direct the class to read the hypothetical and to think about the first question.
2. Lead a class discussion about their answers. The students should recognize that the right to freedom is sacred and cannot be taken away by a simple majority vote. This right is so important and so fundamental that we do not allow people to simply vote on who should be imprisoned and who should be free. (People are sentenced to prison, of course, but only after strict guidelines have been complied with. They are not sent to jail merely because a majority of the people wish it.) If the students cannot agree on this you may wish to raise a even more grievous hypothetical: What if the question to be voted on was -- "Should Larry Lawrence be sent to die in the electric chair."
3. The class should now consider the second question concerning the right to free speech. If the right not to be arbitrarily imprisoned is so important that it cannot be taken away by majority vote, are there not other rights that are also important, such as the right of free speech? Should one's right to voice one's ideas and beliefs be taken away just because a majority do not like what is being said? Should the class be allowed to vote on who gets to talk, or should everyone have a right to participate in class discussions?
4. Remind the class that the Bill of Rights was added to the Constitution because people feared the abuse of the government's power -- they feared that the majority of the people would take away the rights of the minority. The rights in the Bill of Rights protect the important human freedoms of all Americans, not just the rights of people with whom the majority agrees.

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Activity 1-D: What Rights Would You Have Included?

Purpose: To stimulate thought about what are the fundamental rights that belong to free men and women.

Student Materials: "Individual Means You" worksheet, p. 12.

Directions:

1. Review with the students that the Bill of Rights was written to guarantee that the new federal government would not take away the basic rights of citizens. These rights are the important things which people should be able to do to live free and dignified lives. In a democracy everyone has these rights and they cannot be easily taken away. Examples include the right to life and the right to choose the people who govern us.
2. Direct the students to use the "Individual Means You" worksheet to list up to ten fundamental rights that they would have included in the Bill of Rights. What basic rights do they, as individuals, need to run their own lives? Students may wish to refer to the article read in Activity 1-A and to the definition of rights developed in Activities 1-B and 1-C to assist them.

   The lists the students compile will be used in the next lesson.

UNIT I. RIGHTS
Lesson 2. The Bill of Rights

GOALS AND OBJECTIVES

The student will:

1. Analyze what rights are protected by the Bill of Rights and subsequent amendments
    a. by explaining the rights guaranteed by the extended Bill of Rights in own words,
    b. by stating similarities in and differences between the extended Bill of Rights and the list of rights compiled in Lesson 1 (Activity 2-A).
2. Analyze the concept of government action
    a. by reciting a definition of government action,
    b. by labeling situations as examples or non-examples of government action (Activity 2-B).

POINT OF LAW

In this lesson we move from a discussion of rights in general to the specific rights guaranteed by the Bill of Rights. The Bill of Rights and subsequent constitutional amendments (which together we refer to as the extended Bill of Rights) is a guarantee of Americans' basic freedoms against government abuse. Its provision can be divided into three categories (1) **liberty** - such as freedom of speech and religion, (2) **justice** - such as the right to a fair trial, and (3) **equality** - such as the right to equal protection of the laws.

The Bill of Rights was added to the Constitution as a guarantee that the new federal government, albeit a government of limited powers, would not trample on the rights of the people. Accordingly, the Bill of Rights was directed to actions of the federal government. Thus the First Amendment reads:

> **CONGRESS** shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people to peaceably assemble, and to petition the government for a redress of grievances.
>
> State constitutions, of course, contain provisions to protect the people against potential state and local government abuse.

The Civil War was the major battle in the fight between the concepts of a strong national government and states' rights. In its aftermath the 14th Amendment was added to the Constitution. This amendment contains restrictions on the power of state and local governments. In particular, the amendment requires the states to guarantee their citizens equal protection of the laws and compels them not to deprive their citizens of life, liberty, or property without due process of law. The courts have interpreted the 14th Amendment's due process clause to mean that state and local governments must also guarantee the people many of the fundamental rights contained in the Bill of Rights.

Today, then, the Bill of Rights protects the people against abusive governmental action -- federal, state, and local. This is the point of activity 2-B. **The Bill of Rights applies to government action, not the actions of individuals or corporations engaged in non-governmental activities.** (An exception is the

13th Amendment. It is a constitutional violation for anyone to enslave another.) Thus it is unconstitutional for government to discriminate on the basis of race. It is not unconstitutional for a private business to discriminate on the basis of race, but it may be (and probably is) a violation of federal, state, and local law.

TEACHING INSTRUCTIONS

Activity 2-A: A Short Summary of the Extended Bill of Rights

Purpose: To introduce students to the most important provisions of the Bill of Rights.

Student Materials: "A Short Summary of the Extended Bill of Rights of the Constitution of the United States,"pp.13-14. It is recommended that a laminated copy of this summary be provided to each student.

Directions:

1. Guide the students through the Bill of Rights summary, asking the students to restate the provisions in their own words.
2. Explain that while the first ten amendments added to the Constitution in 1791 are often called the Bill of Rights, the class will also study later amendments which spell out other important rights. Thus, the summary is called the Extended Bill of Rights.
3. Ask the students to compare and contrast the actual Bill of Rights to the list of rights they put together in Lesson 1.

   Examples of rights that the students might have listed which are not in the Bill of Rights are the right to nourishment (food and water), the right to shelter, the right to safety, the right to a job, and the right to a basic education. Although not enshrined in the Bill of Rights, today many people regard these as fundamental rights and government programs have been created to provide them. Most have traditionally been the responsibility of state and local governments, rather than the federal government. Other rights not listed in the Bill of Rights, such as the right to travel freely, have been found by courts to exist within the general language of some of the amendments.

Note: The following editorial on the expanding definition of human rights appeared in the December 23, 1986 *Lincoln Star:*

Minimal life style seen as certain human right

With the end of one century coming into view, a natural tendency exists to anticipate the possible changes that lie in the future. One such possibility might be a considerable refinement of the nation's social consciousness.

A Washington news service, Congressional Quarterly, reports that with the arrival of winter's cold, groups representing the homeless are pressing the claim that there is a fundamental right to adequate shelter. To date, the right has been argued and won under court rulings in New York and California.

Those rulings lack national imprint, as they are based on local statutory or constitutional law, but one need be no genius to know that the federal Constitution takes on meaning appropriate to the times in which it is put to the test. Thus, what might not be a federal constitutional question today could prove to be at some time in the future.

Cities generally have some kind of temporary shelter for whatever itinerant population come their way. But lack of adequate shelter could materially change in terms of both its definition and its victims.

Response to a recent Harris Poll showed a strong sentiment in the nation for adequate food and shelter for all. Eighty-nine percent of those polled rated hunger as a serious problem in America. The pollster concluded, "Clearly, most people feel that the treatment of the homeless and hungry has been neglectful."

Welfare may be viewed by some in a skeptical light, but when you put the term in different words that skepticism seems to fade. People who question the validity of welfare also might believe that citizens should be given adequate food and shelter, despite the contradictory nature of such an attitude.

Surely, the future is likely to present a variety of social welfare issues. Beyond fundamental shelter and food are such matters as adequate health care, problems of the aging, equality of educational opportunity, and full employment.

Are such matters the tired liberal agenda of the past or are they human concerns awaiting the right answer? Much in the arena of social welfare likely will relate to other developments, especially in the economy.

If the world continues to move with its technology toward a more narrow base of participation, human rights issues will be forced more to the forefront and their definition will be broadened. A major challenge in the 21st century may be finding a useful and rewarding place for all the world's inhabitants.

Activity 2-B: Government Action

Purpose: To point out that the Bill of Rights protects people against abuses of power by the government.

Student Materials: "Government Action" reading and questions, pp. 15-16.

Directions:

1. Introduce the lesson by asking the students to recall why the Bill of Rights was added to the Constitution. (It was added because people were concerned that the new federal government would abuse its powers.) Explain that the Bill of Rights lists rights of the people that government cannot interfere with.
2. Guide student reading of the Government Action reading material.
3. Ask the students to explain in their own words what is meant by government action.
4. Discuss the government action hypotheticals at the end of the reading. The answers are:

   1 - yes
   2 - no
   3 - yes
   4 - yes
   5 - no
   6 - no
   7 - maybe
   8 - no
   9 - no
   10 - no

   The answer to **number 7** depends upon whether the school is a public (government-run) school or a private one.

   Note that although in **number 10** the mayor is a government officer, she is **not** doing her job (not operating in her official capacity) when she tells her son to go to his room.

UNIT II

LIBERTY

UNIT II. LIBERTY
Lesson 3. Freedom of Speech

GOALS AND OBJECTIVES

The student will:

1. Know that the 1st Amendment protects a person's freedom of speech by reciting the free speech clause of the 1st Amendment.
2. Analyze the importance of freedom of speech
    a. by stating in own words why freedom of speech is important,
    b. by applying the 1st Amendment to a classroom situation,
    c. by writing an essay explaining the importance of freedom of speech (Activity 3-A).
3. Analyze the limitations on freedom of speech by deciding whether freedom of speech was reasonably limited in hypothetical situations (Activities 3-B & 3-C).
4. Analyze freedom of speech and it limitations by deciding if the wearing of arm bands by school students is protected by the 1st Amendment (Activity 3-D).

POINT OF LAW

The First Amendment to the U.S. Constitution guarantees freedom of speech. That means that government may not **unreasonably** interfere with individuals' rights to speak and otherwise express their ideas. One of the reasons the Constitution guarantees this right is to allow the free expression of a wide range of ideas. When all points of view are allowed to be expressed, decisions will not be made on the basis of incomplete information. This marketplace of ideas is important to the functioning of a democratic society. No one, not even the government, has a monopoly on ideas.

However the First Amendment's free speech provision has not been interpreted to be absolute. The right of an individual to express his or her views needs to be balanced against the needs of society. Thus the government may prohibit obscene speech and allow individuals to sue for libel and slander. It can impose reasonable restrictions of time, place, and manner on speech (e.g. cannot without a permit organize a march that ties up traffic) and can limit speech that imposes a "clear and present danger" to good order (like yelling "fire" in a crowded theater). While the First Amendment does protect communication through symbols such as buttons or arm bands, it does not protect otherwise illegal conduct such as spray painting political slogans on a public building.

TEACHING INSTRUCTIONS

Activity 3-A: Free Speech: An Important Right

Purpose: To acquaint the students with the First Amendment's protection of free speech and to make them aware of its importance.

Student Materials: "President Is Boring" worksheet, pg. 17.

Directions:

A. President Hypothetical

1. Read to the class the following hypothetical situation:
   On a crowded Saturday at the mall (or in the center of town), Fred says to one of his friends, "I think the President is boring."
2. Ask the students the following questions:
   a. Look at your Bill of Rights summary. What amendment protects Fred from being arrested or being made to pay a fine because of what he said?
   b. Why does the First Amendment protect this kind of statement? Why do we have freedom of speech?

B. Presidential Debate

1. Introduce the exercise by telling the class that they are going to participate in an activity that will give them a chance to exercise their right of free speech.
2. Tell the class that they will be debating the question: "Is the President of the United States doing a good job." Explain that for ______ minutes you want to hear arguments on why the President is doing a good job. Then for the same number of minutes you want arguments on why he is not.
3. Call on people to make arguments on why the President is doing a good job. Be careful not to allow any criticism of the President during this part of the activity – these minutes are only for arguments on why he is doing a good job.
4. When the time limit for the pro arguments is over announce that you have heard enough, that you are convinced that the President is doing a good job, and on second thought you do not think it would be a good idea to allow students to say bad things about the President in your class.
5. If the class is upset by this (and it is hoped that it will be) find out why. Ask the class questions like:
   a. Why are you upset?
   b. Was it unfair to not let the other side talk?
   Why?
   c. How does it feel not to be allowed to express your opinion?
   d. If someone from another country who did not know much about the President had watched our discussion of the President, do you think he or she would think the President was doing a good job? Would that person have received a fair and balanced view on whether this class thinks the President is doing a good job?

   e. What do you think it would be like to live in a country where only good things could be said about the President or the government?

   f. Do you think the President would do a better job if no one could say anything bad about him? Why or why not?

6. Let the con side have their minutes to explain why they believe the President is not doing a good job.

C. Written Exercise -- Worksheet 3-A, page 17.

1. Direct the students to write an answer to the question on the worksheet. Encourage them to use some of the ideas brought out in class discussion.
2. Ask the students to share their answers with the class.

Activity 3-B: Limits on Speech (1)

Purpose: To demonstrate that reasonable limits on freedom of speech do not violate the First Amendment.

Student Materials: "Fire!" hypothetical and questions, p. 18.

Directions:

1. Direct the students to read the "Fire!" hypothetical or read it to them.
2. Discuss the questions following the hypothetical.
3. Point out the United States Supreme Court has said that the First Amendment's freedom of speech guarantee is not absolute and that government may put some reasonable limitations on speech without violating the amendment. For a discussion of some of these limits see the Point of Law section in these materials.

Enrichment Exercise: During a discussion of some topic subtly encourage the students to talk all at once so that the discussion gets out of hand. Then lead a discussion about the problem with the prior discussion and what can be done about it. After establishing rules, have the students conduct a discussion focusing on how this experience demonstrates why in certain circumstances one's freedom of speech should be limited.

Activity 3-C: Limits on Speech (2)

Purpose: To enhance the students' understanding of when it is permissible to limit freedom of speech.

Student Materials: "What are the Limits on Freedom of Speech?" hypotheticals, pg. 19.

Directions:

1. Instruct the students to consider the eight hypothetical situations.
2. Lead a discussion of their solutions to the hypothetical situations. If the students worked in groups have each group report on their solution to each hypothetical and compare the solutions. Probable correct answers are:
   (1) no violation – reasonable time, place, and manner restriction
   (2) violation
   (3) no violation – one can be sued for deliberate libel
   (4) violation -- the right of political free speech would probably outweigh environmental concerns
   (5) violation even though passers-by might be bothered
   (6) no violation – one can be arrested for criminal threats
   (7) no violation – can require permits to hold a march; reasonable time, place, and manner restriction
   (8) unclear – As it was the audience that was causing the trouble rather than the speaker, there is an argument that there was a violation of the right of free speech. However, the situation was getting out of hand and some courts have said that situations such as these create a "clear and present danger" to public safety and have permitted the police to stop the speech.
3. Point out that deciding whether government action violates free speech requires a balancing between the right of an individual to speak and the public safety and order.

Activity 3-D: Symbolic Speech

Purpose: To demonstrate that speech protected by the First Amendment is not limited to oral or written communication, but can be symbolic speech as well; to review when it is permissible to limit freedom of speech; and to introduce the students to a case study.

Student Materials: "Symbolic Speech: The Tinker Case," Part 1 (facts and questions), pg. 20, and Part 2 (the Court's decision and questions), pg. 21. Part 2 should be distributed after Part 1 has been discussed.

Directions:

1. Direct the students to read the facts of the Tinker case or read the facts to them.
2. Discuss the questions that follow the facts. In responding to question 8 the students should not merely repeat the arguments that they made in questions 6 and 7, but should be challenged to explain why the arguments of the side they support are better than the arguments that have been made for the other side.
3. Instruct the students to read the Court's decision in the case or read it to them.
4. Discuss the questions that follow the decision. In responding to question 13 the students should point out that the Court had to weigh the Tinker's First Amendment freedom of speech rights against the need to maintain order in the schools. Here, because the Court believed that school discipline would not be substantially or materially interfered with, the Tinkers won.

UNIT II. LIBERTY

Lesson 4. Freedom of the Press

GOALS AND OBJECTIVES

The student will:

1. Comprehend freedom of the press by describing it in own words (Activity 4-A).
2. Apply concepts of freedom of the press by re-writing a news article in own words as though it had been written where freedom of speech does not exist (Activity 4-B).
3. Synthesize knowledge of freedom of the press
    a. by writing an editorial (Activity 4-A),
    b. by creating a political cartoon (Activity 4-C).

POINT OF LAW

Free speech and free press have a great deal in common. Both protect our ability to communicate with others and allow us to experiment with ideas and choose the best ones. Both face limits when other important governmental or individual interests are at stake. For example, newspapers cannot print something they know is untrue about a person, hoping to hurt that person.

While individuals exercise their free speech rights daily, far fewer make frequent use of the right of press freedom by writing news articles, books, or pamphlets or by participating on radio and television. However, as consumers of news and information we all benefit from a free press. It is often the right of the press to gather and disseminate information in the name of "the people's right to know" that keeps citizens informed and channels public opinion into an effective force for reform.

TEACHING INSTRUCTIONS

Activity 4-A: Take a Stand

Purpose: To provide students with an opportunity to write a newspaper editorial expressing their opinions on a free speech issue.

Student Materials: "Take a Stand" worksheet, p. 22.

Directions:

1. Explain what freedom of the press is and why it is important. (See, for example, information in **Point of Law** section for this lesson.)
2. Choose examples of freedom of the press from a newspaper. Explain the purpose of the editorial page and political cartoons.
3. Instruct the students to write an editorial for their school newspaper about the incident where two students yelled "Fire" during a public school assembly (Activity 3-B), using the worksheet. Tell them that they should **Take a Stand!** Their editorials should either support the students' right to yell "Fire" or the principal's right to punish the students who yelled "Fire."
4. Ask the students to share their editorials.

Activity 4-B: Censored!

Purpose: To help students understand the importance of the First Amendment's guarantee of freedom of the press to the workings of a democratic society.

Student Materials: "Censored!" worksheet, p. 23; newspapers or newspaper articles supplied by teacher.

Directions: In this activity students re-write a newspaper article to read as it might in a country without a free press. The story should tell people only what the government wants them to know.

1. Bring copies of a newspaper article or articles appropriate for the activity, or collect a pile of newspapers and have each student select a story. *Junior Scholastic* or *Weekly Reader* are appropriate newspapers for this activity.
2. Explain that in some countries there is no freedom of the press. The government controls the press and all the articles in the newspaper reflect the government's point of view.
3. Instruct each student to re-write the article he or she was given or selected to read as if it were written in a country that did not allow press freedom, so that it reflects only the ideas that the government would want published. The students can write their stories on the worksheet.
4. Ask the students to share their stories with the class.
5. Ask the students what they think it would be like to live in a country that does not have a free press. In what ways would the government be different if there were no free press?

Activity 4-C: Editorial Cartoon
AN ENRICHMENT ACTIVITY

Purpose: To make the students comfortable in exercising their First Amendment rights and to make them aware that freedom of the press applies to pictures and cartoons as well as words.

Student Materials: "Cartoons" worksheet, p. 24.

Directions: Instruct the students to use the worksheet to demonstrate press freedom by drawing a cartoon that expresses their opinion. You might leave the choice of topic up to each student or suggest a topic such as a cartoon representing the opinion they stated in their editorial for Activity 4-A or a cartoon expressing their opinion of the President of the U.S., the Governor of Nebraska, or their teacher.

Activity 4-D: Freedom of the Press Today

AN ENRICHMENT ACTIVITY

Purpose: To point out that freedom of the press not only applies to newspapers, but also to other means of communication such as radio, TV, movies, mail from political pressure groups, and advertisements.

Student Materials: None.

Directions:

1. Introduce the activity by pointing out that in 1791 freedom of the press applied mainly to newspapers, books, and pamphlets.
2. Ask the students the following questions:
    a. To what other media might freedom of the press apply today?
    b. Is there any difference between newspapers and television or radio that might call for different rules in regard to the freedom each one has to print or broadcast what it wants?

    To generate responses you may need to point out that anyone with a printing press or a typewriter and a copying machine can start a newspaper, while to operate on one of the relatively few television frequencies one must get special permission. Accordingly, television's free speech rights are more limited than those of newspapers. For instance, television must give equal time to all the candidates in a political race.

UNIT II. LIBERTY

Lesson 5. The Right to Assemble Peacefully

GOALS AND OBJECTIVES

The student will:

1. Comprehend the right to assemble peacefully
    a. by identifying the right in the Extended Bill of Rights summary,
    b. by describing the right in own words.
2. Analyze the right to assemble peacefully by deciding if the right is violated in a hypothetical situation (Activity 5- A).

POINT OF LAW

The "right of the people peaceably to assemble" along with the right "to petition the Government for a redress of grievances" rounds out the Bill of Right's guarantees of free expression. Government may not prevent citizens from gathering together to discuss political matters and make political plans, nor may it stifle citizens' complaints.

TEACHING INSTRUCTIONS

Activity 5-A: The Birthday Party

Purpose: To make the students aware that the Bill of Rights guarantees the right of peaceful assembly.

Student Materials: "The Birthday Party" hypothetical and questions, p. 25.

Directions: Instruct the class to read the hypothetical problem or read it to them. Discuss the questions with the class.

UNIT II. LIBERTY

Lesson 6. Freedom of Religion

GOALS AND OBJECTIVES

The student will:

1. Comprehend the 1st Amendment's guarantee of freedom of religion has two parts (clauses) by stating both clauses in own words.
2. Analyze freedom of religion by deciding whether in hypothetical cases either or both clauses are violated.
3. Analyze freedom of religion by deciding in a hypothetical case what are the proper limits to the right of free exercise of religion (Activity 6-A).

POINT OF LAW

The First Amendment begins, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . . ." The amendment's guarantee of freedom of religion contains two parts: (1) the establishment clause, and (2) the free exercise clause.

Under the establishment clause, the state may not treat one religion more favorably than others so as to make it appear that the government is establishing that religion as the state-approved religion. The clause has also been interpreted to forbid government from aiding religion in general over non-religion.

Under the free exercise clause, the state may not restrict the free exercise of religious beliefs either directly or by imposing burdensome conditions on those beliefs.

There is a balance which must be struck between these two clauses. In protecting the free exercise of one religion it is easy for the government to seem to be favoring (establishing) that religion. For example, if it makes an exception and says that people whose religious beliefs prohibit violence do not have to be soldiers, people with other beliefs might think the government is treating the first religion more favorably.

As with the other First Amendment freedoms the Constitution's protection of religious beliefs must be balanced against the important needs of society as a whole. Under the establishment clause, for instance, the benefits that a religious group derives from having its children who attend parochial schools receive state financial assistance needs to be balanced against the secular, educational benefits received by the students from such aid. Under the free exercise clause, the importance of a religious activity to a particular religion needs to be balanced against the harm to society that activity can cause. For instance, even though public dancing with poisonious snakes may be important to a religious group, the danger such an activity poses to the public would allow the state to prevent it without running afoul of the free exercise clause.

TEACHING INSTRUCTIONS

Activity 6-A: The Sunset Proclamations

Purpose: To acquaint students with the free exercise and establishment clauses of the First Amendment and to make them aware that these protections need to be balanced against other important needs of society.

Student Materials: "The Sunset Proclamations" hypotheticals and questions, pg. 26.

Directions:

1. Instruct the students to locate the rights that deal with religion in their Extended Bill of Rights summary.
2. Ask the students to describe in their own words the two provisions that deal with religion.
3. Direct the class to read and think about the hypothetical situations and questions. Lead a class discussion of the hypotheticals.

Comments on the Hypothetical Situations:

A. This is a violation of the establishment clause. Congress is establishing a state religion.

B. This is a violation of the free exercise clause. Congress is infringing on the religious beliefs and activities of the sunset worshippers.

Ask the students to contrast situation A & B. It is important that they realize that each deals with a different clause of the First Amendment.

C. This is a violation of the establishment clause. Congress is again creating a state religion, but instead of doing it directly as in situation A, it is doing it indirectly by imposing a heavy burden on those who do not fall in line.

Note: To the extent that sun worshipping is a violation of the religious beliefs of some of the people, this (as well as situation A) is also a violation of the free exercise clause.

D. Making the cult's religious activities criminal certainly interferes with their practice of religion. However, the need of society to protect children from harm outweighs this. Arresting the leaders would not violate the First Amendment.

UNIT III

JUSTICE

UNIT III. JUSTICE

Lesson 7. Due Process

GOALS AND OBJECTIVES

The student will analyze the concept of procedural justice:

a. by identifying the unfair rulings by the ruler in a play,

b. by stating the procedural guarantees that ought to be included in a Bill of Rights,

c. by comparing their list to the procedural guarantees provided by the U.S. Constitution,

d. by concluding that procedural fairness is an essential element of the Bill of Rights (Activity 7-A).

POINT OF LAW

The Bill of Rights guarantees residents of this country certain procedural rights. These include the right to refuse to testify against oneself and not to be tried twice for the same crime (5th Amendment); the right to a speedy and public trial, to be informed of the charges lodged against one, to face one's accusers, and to have the assistance of counsel for one's defense (6th Amendment); the right to trial by jury in both criminal and civil cases (6th and 7th Amendment); the right to reasonable bail, fines, and punishment (8th Amendment); and the right not to be deprived of life, liberty, or property without due process of law (5th and 14th Amendments).

More information on these important procedural rights is in the "Synopses of the Cases in the Play" section of the teaching instructions for Activity 7-A.

TEACHING INSTRUCTIONS

Activity 7-A: "Due Process Denied or Fairness in the Land of Faircastle"

Purpose: To acquaint the students with the basic procedural rights guaranteed by the Bill of Rights to individuals accused of crimes.

Student Materials: Four act play -- "Due Process Denied or Fairness in the Land of Faircastle" and worksheet, pp. 27-35.

Directions: The play takes place in a mythical land where the King or Queen alone decides whether persons accused of crimes are guilty. The decisions made by the sovereign are arbitrary and unreasonable and violate some of the basic protections guaranteed by the Bill of Rights.

The basic format of the lesson is to have the students (1) read or act out the play, (2) discuss what occurred in each act of the play, and (3) draw up a list of procedural safeguards that should prevent the abuses presented in the play from happening in the future. The recommended procedure is:

1. Direct the students to read Act 1, read it to the students, or have the students rehearse it and act it out.
2. When the reading or dramatic presentation is finished ask the students to retell the story in their own words. Once it is clear they have the story right, ask them whether they think the King or Queen acted fairly. Then ask them to list the things that the King or Queen did that were unfair and why they were unfair. Compile a list of unfair actions on the chalkboard and ask the students to keep their own list on the worksheet. Synopses of the cases are provided below.
3. Repeat steps 1 and 2 for Acts 2, 3 and 4 of the play.
4. Remind class that at the end of Act 4 the King or Queen was overthrown. The people now want to put together a Bill of Rights that will protect them from unfair procedures in the future.
5. Instruct the students to draw up a list of rights that would guarantee a fair judicial system for the Land of Faircastle, using as a guide the list of unfair actions from the chalkboard and their worksheets.
6. Tell the students to compare the rights on their lists to the rights in their Extended Bill of Rights summary.
7. Ask the class whether it would be adequate to have a Bill of Rights that provided for freedom of speech and religion, but did not contain the rights that guaranteed fair procedures.

Synopses of the Cases in the Play:

Act 1. The Crown against Red Smithy

Lady Violet brings 15-year-old charges against the defendant, Red Smithy. Because the case is so old, all the other witnesses are dead or no longer in the kingdom and the physical evidence, Lady Violet's bruised legs, healed years ago. The defendant cannot defend himself because he cannot even remember the incident. The defendant is found guilty. It is unfair to make one defend himself against stale charges. That is one reason why the Sixth Amendment requires a speedy trial. It also requires that the trial be public, so the people can see whether justice is done.

Act 2. The Crown against Old Stoutheart

Old Stoutheart has been accused of pulling a chair out from under the court jester, Funnyfellow, injuring him. The Royal Jury found Stoutheart innocent as there was no evidence that he did what he was accused of doing. The monarch was quite upset by this and he/she dismissed the jury. People in the kingdom will no longer be tried by their peers, but by the monarch himself or herself. Even though Stoutheart has been found not guilty, the monarch wishes to try him again, to make him again go through the trauma and expense of a trial. The Fifth Amendment says people should not be "twice put in jeopardy," to protect them from such harassment. An additional concern is that repeated trial strengthens the confidence of witnesses as they tell their stories over and over. The first time they might not be sure the accused is the prisoner; the next time the defendant looks more familiar.

Stoutheart is pressured to confess by being repeatedly called into Court. When that does not work, the King or Queen increases the pressure by threatening to imprison Stoutheart's five-year-old granddaughter. This finally forces Stoutheart to confess, even though he is innocent. The Fifth Amendment says that one cannot be forced or coerced to testify against oneself. This prevents law enforcement and judicial officials from placing that kind of pressure on accused criminals. As in this case, such coerced convictions are not reliable. An even more blatant abuse would be torturing the suspect until he or she confesses. The Fifth Amendment permits only the use of truly voluntary confessions.

Act 3. The Crown against Sir Winalot

Lord Lottaland accuses the knight, Sir Winalot, of stealing his horse. Sir Winalot has a bill of sale to prove that he bought the horse, but this does not matter to the King or Queen once he or she realizes that Sir Winalot was the knight that recently defeated the monarch's son in a jousting tournament. The King or Queen is a biased decision maker. The right to a fair trial in front of a neutral, unbiased judge or jury is a basic due process protection inherent in the Fifth, Sixth, and Seventh Amendments.

Act 4. The Crown against Linda Lily

Roxanne Rose accuses Linda Lily of punching her in the nose. The monarch finds Lily guilty even though she is not present. The Sixth Amendment says people have a right to be told what they have been accused of doing and to face their accusers and subject them to questioning in court. Lily did get some sort of notice of the charges against her, but she had received it only that morning and could not read it. One needs time to prepare a defense (the trial here is too speedy) and the Sixth Amendment guarantees the assistance of a lawyer. The Supreme Court, in the famous **Gideon** case, said that if anyone accused of a serious crime cannot afford an attorney, the state must supply one.

Even though Lily has a defense, the King or Queen refuses to listen. After Lily insults the monarch, he or she orders the bailiff to jail her and throw away the key. Here, as in many of the other sentences, the punishment is unduly harsh. The Eighth Amendment forbids cruel and unusual punishments and due process requires that the punishment fit the crime.

UNIT III. JUSTICE

Lesson 8. Search and Seizure

GOALS AND OBJECTIVES

The student will:

1. Comprehend the conflict that exists between the rights of victims of crime and the rights of those suspected of or accused of a crime by stating the conflict in own words.
2. Comprehend the importance of the right of privacy by stating the importance in own words (Activity 8-A).
3. Analyze the 4th Amendment's protection against unreasonable searches and seizures by deciding whether, in certain hypothetical situations, the criteria for a valid search are violated (Activity 8-B).

POINT OF LAW

In England it has long been believed that a family's home is its castle. However, English law made exceptions for the American colonies. Parliament authorized **writs of assistance**, which allowed custom officials to conduct general searches for goods that had been imported without taxes. These writs empowered officials to search and seize at will.

The colonists' resentment of these writs led to the adoption of the Fourth Amendment which reads:

> **The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.**

In deciding search and seizure cases, the courts must balance the government's need for evidence against the individual's need for privacy. A simple method of analyzing searches to determine whether they violate the Fourth Amendment is described in Activity 8-B.

What happens if a search is found to violate the Fourth Amendment? The Supreme Court has said that the evidence obtained through such a search cannot be used against the person who was illegally searched. Many people believe that this "exclusionary rule" is the only way to protect people against illegal searches. Others believe that this remedy is too harsh and that the Supreme Court ought to abolish the exclusionary rule and allow the evidence to be used. They contend that there are other, less drastic ways of enforcing Fourth Amendment rights, such as suing the police department.

TEACHING INSTRUCTIONS

Activity 8-A: The Backpack Incident

Purpose: To make students aware of the conflict between the rights of victims of a crime and the rights of those suspected of having committed the crime.

Student Materials: "The Backpack Incident" cartoon, questions, and worksheet, pp. 36-38.

Directions:

1. Instruct the students to study the cartoon and the questions and to respond to the question on the worksheet.
2. Discuss the students' answers with the class, emphasizing that both the victim of a crime and one accused or suspected of committing the crime have rights. The law's job is to respect the rights of each without infringing on the rights of the other.

Optional Exercise: Have the students act out the situation shown in the cartoon.

Activity 8-B: Was This Search Legal?

Purpose: To acquaint students with the Fourth Amendment's protection against unreasonable searches and seizures and with the criteria for a legal search.

Student Materials: "Was This Search Legal?" reading and hypothetical situations, pp. 39-40.

Directions:

1. Have the students read the textual material and review it with them.
2. Ask the students to decide whether the searches conducted in the six hypotheticals were constitutional under the Fourth Amendment. Instruct them to evaluate each situation using the three-part analysis outlined in the reading:
    1. Was the search made by a government official?
    2. Was the search in a place that one reasonably expects to be private?
    3. Was the search unreasonable -- i.e. was there no good reason to believe that
        a. a crime has been committed or is about to be committed, or
        b. the person, place, or thing to be searched is related to the crime?

If their answers to all three of these questions is "yes," the search violates the Fourth Amendment. If the answer to any of these questions is "no," the search does not violate the Fourth Amendment.

The Situations:

A. 1. Yes, the police are government employees.
    2. Yes, one has the expectation of privacy in a backpack or purse.
    3. a. Yes, there is reason to believe that a crime has been committed.
        b. No, searching all dark-haired girls in the area is not reasonable. There is no good reason to believe any one of them committed the crime.

    The search violates the Fourth Amendment.

B. 1. Yes – the police.
    2. No, there is no expectation that when one is holding a book or report so that the cover can be read, that it will not be read.
    3. No, the search is not unreasonable. Once it is known that Sylvester Slydog has Samantha Derbish's report, there is reason to believe that a crime has been committed and that Slydog committed it.

    The search does not violate the Fourth Amendment.

C. 1. Yes – the police.
    2. Yes, one has the expectation of privacy in one's home.
    3. No, the search is not unreasonable. The informant, Johnny B. Good, was reliable and based on his information there was good reason to believe that a television was stolen and Bart Nogood stole it. The police properly obtained a search warrant.

    The search does not violate the Fourth Amendment.

D. 1. Yes -- the police.

   2. Yes, one has the expectation of privacy in a closed shoe box.

   3. Yes, the search is unreasonable. The police have a warrant to search for a 21 inch screen TV set. It certainly cannot be found in a shoe box. There is no good reason to believe that the place to be searched -- a shoe box -- is related to the crime of stealing a TV set.

   The search violates the Fourth Amendment.

E. 1. Yes -- the police.

   2. Yes, one has the expectation of privacy in a backpack.

   3. No, the search seems reasonable. The store manager had reasonable grounds to believe a crime -- stealing a record album -- had been committed and that Herbie Schmerbie did it, even though, in fact, Herbie was innocent.

   The search does not violate the Fourth Amendment.

F. 1. No, the girl's mother is not the government. There is no government action.

   The search does not violate the Fourth Amendment. Whether the girl has a reasonable expectation of privacy from her mother even in a locked cedar chest and whether it was reasonable for the mother to read her letters are questions that do not have to be answered to complete this exercise. They are interesting questions, however, and are raised in Activity 8-C, an enrichment activity.

Activity 8-C: Dear Abby

AN ENRICHMENT ACTIVITY

Purpose: To make students aware that there are important issues concerning privacy (as well as concerning free speech, equality, etc.) that do not involve the Bill of Rights, and to provide a vehicle to help the class engage in rational decision making.

Student Materials: The "Dear Abby letter" from hypothetical situation F in Activity 8-B, pg. 40.

Explanation: The Dear Abby letter raises an issue that is important to many children of this age and older -- the right to privacy in their own homes. As the mother's reading the letter is not government action, there is no constitutional issue involved. It is important that the students understand this first. The letter does not raise much of a legal question either, as courts are rightfully reluctant to interfere in the parent-child relationship, absent the potential for severe harm to the child. Nonetheless, it raises moral and ethical issues that some teachers may want to explore. The problem raised in the letter also provides an excellent vehicle to take the class through a rational decision making process. Guidelines for conducting a rational decision-making experience follow. They were written by Charlotte Manton for Lincoln Public Schools.

How to Use Rational Decision Making (RDM):

A. Keys to the process:

The primary purpose of RDM is to increase the students'ability to make decisions on crucial issues -- social as well as personal.

Essential classroom conditions:

1. **Open climate** -- all points of view are to be considered. To facilitate the exchange of ideas, have students work in small groups.
2. **Emphasis on hypothesis** - more than one answer is possible and all possible solutions should be considered.
3. **Use of facts as evidence** - scientific inquiry includes the validation of evidence and the testing of hypotheses.

B. Steps in the model:

1. **Present and clarify the issue**

   Make sure everyone understands the problem to be investigated.

   Write the problem in **statement** rather than question form. Given a question at the top of the worksheet, students will immediately begin to generate solutions. If the problem is worded, "Goal: To discover ____________," students will be aware that a process is to follow which will be used to solve the problem.

2. **Hypothesize**

   Develop two or more possible solutions. These form the basis for gathering and analyzing data.

   a. **Brainstorm**

      Brainstorming is an excellent way for students to generate many alternative solutions to a problem. At the same time, each student is given an opportunity to contribute ideas. In brainstorming all ideas are accepted. Critiquing is reserved until later. If brainstorming is conducted correctly, there is very little risk involved for even the most retiring student.

b. **Decision Tree** (see p. 41)

This is an excellent way for students to learn the skill of developing hypotheses.

After brainstorming, students will choose several hypotheses to place on the tree.

3. **Gather information on each hypothesis**

Data gathering is of primary importance. Without facts upon which to base conclusions, the solution to the problem will be without validity.

In this case data is derived from the students' own experience. Most problems require research, the amount depending upon the complexity of the problem.

4. **Test each hypothesis and consider consequences**

If hypothetical solutions have been placed on the Decision Tree, students can now test these hypotheses by considering the positive and negative consequences of each. As students discuss the pros and cons of each hypothetical solution, they should give reasons for their responses.

5. **Make the best possible decision**

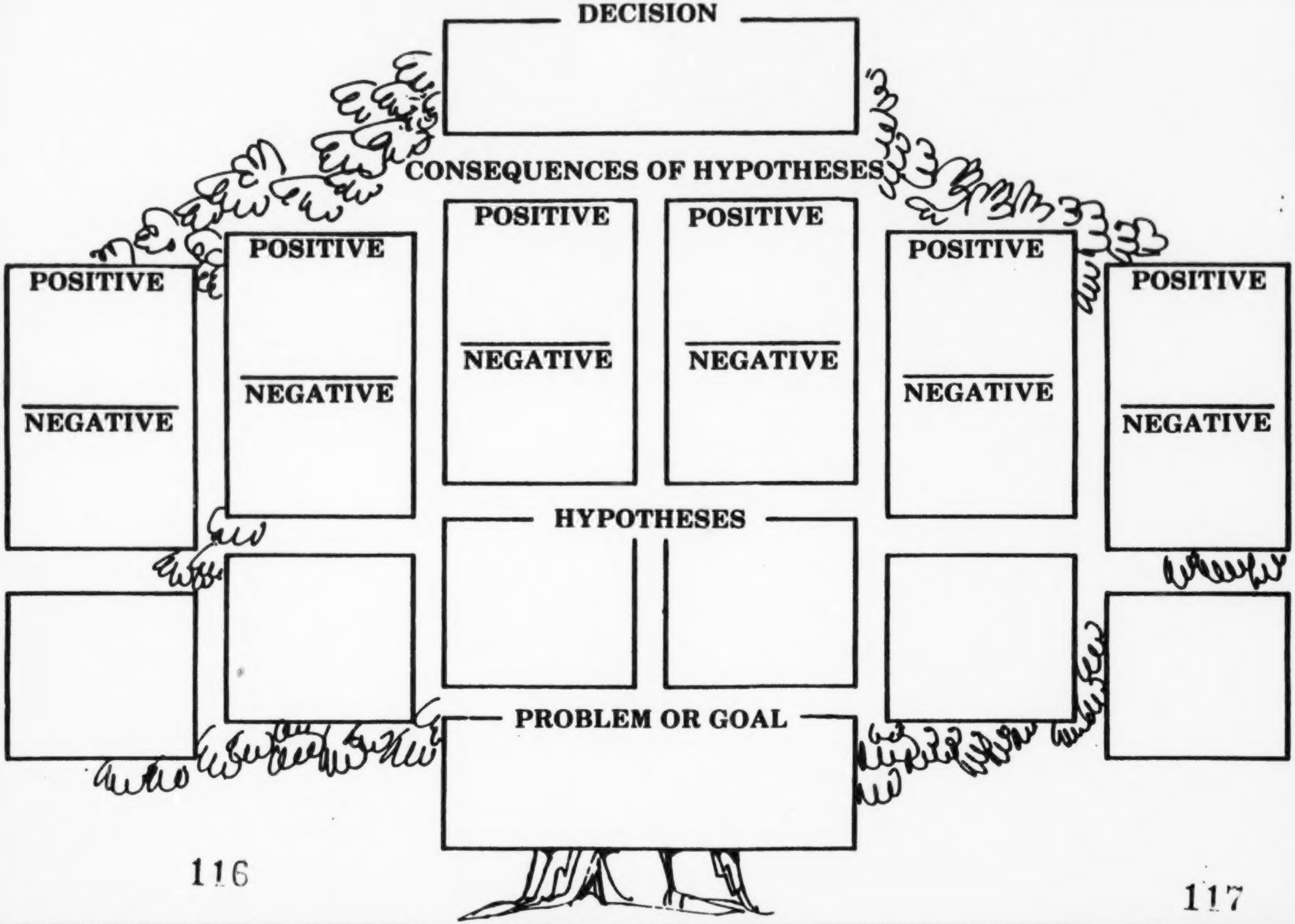
After testing the hypotheses and examining all the consequences, students should be encouraged to make a thoughtful and responsible decision -- the best possible decision. They should understand that no decision is perfect; almost all decisions require some concessions or compromises. Rational decision making demonstrates to adolescents the difficulties in making decisions which are acceptable to everyone.

6. **Goal assessment**

It is important that students and teacher evaluate what has been accomplished. Were all the steps of decision making utilized? That is, was the **process** observed? Was there enough information to make a rational decision? That is, was **content** available to the students? Was the **goal** reached? That is, did we teach to the goal? Sometimes the goal changes as new data are discovered. If so, was the change of goal recognized and new steps taken to solve it?

DECISION TREE

Name ____________________


DECISION
CONSEQUENCES OF HYPOTHESES
POSITIVE
NEGATIVE
POSITIVE
NEGATIVE
POSITIVE
NEGATIVE
POSITIVE
NEGATIVE
POSITIVE
NEGATIVE
POSITIVE
NEGATIVE
HYPOTHESES
PROBLEM OR GOAL

UNIT IV

EQUALITY

UNIT IV. EQUALITY

Lesson 9. Equal Protection

GOALS AND OBJECTIVES

The student will:

1. Analyze equal protection:
    a. by participating in a game where most of the players do not have an equal chance to win (Activity 9-A).
    b. by deciding in a hypothetical situation whether it is fair to treat people the same who are the same in all relevant respects (Activity 9-B).
2. Analyze equal protection by deciding in certain hypothetical situations whether it is fair to treat people differently when they differ in important respects (Activity 9-C).
3. Analyze the life of a person by writing a paper in which one of the following two points is described:
    a. whether the person was denied equal protection of the law and what he or she did about it,
    b. whether the person was successful in getting equal protection for some group and, if so, how (Activity 9-G).

POINT OF LAW

The Fourteenth Amendment to the United States Constitution guarantees "equal protection of the law." This means that government cannot unreasonably discriminate among groups of people. For instance, not everyone should be licensed to practice medicine. If the discrimination between who can and cannot practice medicine is based on good and sufficient reasons – like graduating from an accredited medical school and passing tests that demonstrate competency – then such discrimination does not violate the 14th Amendment. If the discrimination is based on unreasonable grounds – like being a male – then it is illegal.

Most importantly the equal protection clause protects us against class discrimination – unfair treatment based on race, sex, religion, etc. Classic examples of such unfair treatment were segregation laws which discriminated against blacks. A root cause of discrimination is stereotyping based on the group to which the individual belongs – e.g. all women are good cooks, girls are neater than boys, blacks are better athletes than whites. Under our Constitution government cannot unreasonably discriminate against individuals because of particular group membership – be it racial, religious, gender-based, political, or other.

In some cases it may not be fair to treat people who are different the same. For instance, special education students are treated unequally (they receive more resources per capita) because it has been determined that because they have unique needs, it is fair to spend a greater amount on them. In fact, it can be argued that to treat special education students equally (spend the same resources on them per capita as regular students) would be to deny them equal educational opportunity. An issue currently under debate is whether racial minorities should receive preferential treatment, or "affirmative action," because of past discrimination.

TEACHING INSTRUCTIONS

Activity 9-A: The "D" Game

Purpose: To enable students to experience discrimination and reflect on the experience.

Student Materials: None.

Directions:

1. Give everyone in the class a desirable item – a penny, wrapped candy, etc.
2. Divide the students into four teams. Line each team up in a row.
3. Instruct the students to give all of the items to the tallest person on their team. If there is a tie have them give the items to the darker-haired of the tallest persons on the team.
4. Bring the tallest person (or tallest darker-haired person) on each team to the front of the room. Tell them to give all the objects to the tallest student in the class. If there is a tie tell them to give the items to the darker-haired of those who tied for tallest.
5. Announce that the person who is holding all of the items is the winner of the game and may keep all the items.
6. Ask the students the following questions:
   a. How did you feel about the game?
   b. Were the rules fair? Did each student have a fair chance to win?
   c. How did it feel not to have a fair chance to win the game?
   d. Whom did the game favor?
   e. Is there a reason why the game should favor tall dark-haired people? Is there any reason why the rules could not treat everyone equally?
   f. What would be a fairer way to play the game?
7. Help the students make up rules for a new, fairer game and let them play the new game.

Adapted from Rickes & Ackerly, Lawmaking (2nd edition, 1980) with permission of West Publishing Co.

Activity 9-B: The Letter "A"

Purpose: To introduce students to the concept of equal protection and to demonstrate that where people are the same in all relevant respects it is fair to treat them the same.

Student Materials: "The Letter "A" hypothetical and questions, p. 41.

Directions: Tell the students to read the hypothetical situation or read it to them. Discuss the questions, focusing on the concept that where people are the same in all relevant respects it is fair to treat them the same.

Activity 9-C: Is Equal Treatment Fair?

Purpose: To demonstrate that where people are different in certain important respects it is fair to treat them differently, and to provide practice in deciding whether in given situations it is fair to treat people equally.

Student Materials: "Is Equal Treatment Fair?" hypothetical situations, p. 42.

Directions:

1. Instruct the students to read the hypothetical situations and decide whether in each situation it is fair to treat the two people equally. Discussion questions for each situation can be drawn from the following analysis:

   Situation 1: Clearly Bobby should not get both gifts. A fairer solution would be to give each a gift, either by letting Becky decide because Bobby cannot decide or by using a grab bag approach, or to let Bobby and Becky share the gifts.

   Situation 2: Unless Mike has shown that he can now take care of animals, it is fair for Aunt Bea to give both animals to Jason. Jason and Mike differ in an important respect – Jason has shown he can take care of pets, Mike has not.

   Situation 3: The solution is unfair. While Amy and Katie differ in height, that difference is unimportant as Katie can easily stand on a stool or other safe object to clean the board. The work can be split equally between them.

   Situation 4: This is a fair solution. Natalie and Nathan are different in an important respect – Natalie is dirty, Nathan is not.

   Situation 5: This is unfair. Although Johnny is a better player, there is no reason why Joan cannot also play, at least where the game is being played for recreational purposes.

   Situation 6: This is fair. Derek contributed to the making of the cookies; Amber did not.

2. Point out that the class has previously discussed the concept that where people are the same in all relevant respects it is fair to treat them the same. Some of the problems in this activity demonstrate this. Some of the problems, however, demonstrate that where people are different in certain important respects it may be fair to treat them differently.

Activity 9-D: The Fox and The Stork

AN ENRICHMENT ACTIVITY

Purpose: To further demonstrate that where people are different in certain important respects it is fair to treat them differently.

Student Materials: "The Fox and the Stork" fable and questions, pp. 43-44.

Directions:

1. Assign the students to read Aesop's Fable, "The Fox and the Stork," or read it to them.
2. Remind the students that where people are the same in all relevant respects it is fair to treat them the same.
3. Lead the students in a discussion of the questions. Focus on the concept that where people are different in certain important respects, it is fair to treat them differently.

Activity 9-E: Goldilocks

AN ENRICHMENT ACTIVITY

Purpose: To present to students a situation in which they must decide whether a black dark-haired girl and a white blonde-haired girl should have an equal opportunity to play Goldilocks in the school play.

Student Materials: "Goldilocks" hypothetical and worksheet questions, pp. 45-46.

Directions:

1. Assign the students to read the hypothetical situation and complete the worksheet.
2. Discuss the students' answers with the class. Students may feel that having blonde hair is a bonafide qualification for the part. Is it? Even giving Marla a blond wig may not satisfy them because they conceptualize Goldilocks as being white. Why is that? Is that fair? If the committee decides that it acted unfairly in denying Marla the part because she did not have blonde hair, does that mean that Marla will get the part?

Comment: This enrichment activity provides further practice on the issue of whether people should be treated equally even though there are differences between them. Here the question is whether a white blond-haired girl should get the part of Goldilocks over a black dark-haired girl because of the girls' physical characteristics. In other words, are the differences in hair and skin color relevant in deciding who gets the part? This activity should be conducted with care as not everyone will agree on what the proper answer is and because the problem involves race.

Activity 9-F: Equality

AN ENRICHMENT ACTIVITY

Purpose: To acquaint students with the importance of equality in our society.

Student Materials: A supply of newspapers and magazines, poster paper, scissors, and paste.

Directions:

1. Bring newspapers and magazines to class.
2. Assign each student the task of finding a picture and an article demonstrating equality.
3. Tell each student to:
   - A. identify the roles the people in the picture are playing,
   - B. explain what is happening in the picture that shows the concept of equality, and
   - C. explain in his or her own words the example of equality described in the article.

or

2. Assign to small groups of students the task of making a collage showing examples of equality in our society.
3. Tell each group to write a paragraph describing the example in their collage and to share their collage and explanation with the class.

Activity 9-G: Research Report

Purpose: To provide an opportunity for students to research the life of a famous person who fought for equality.

Student Materials: Research Report instruction sheet, p. 47; worksheet, p. 48; and research materials.

Directions: Assign each student to prepare a written or oral report. People whose lives can be researched include:

- Abigail Adams
- Peter Zenger
- Martin Luther King
- Chief Joseph
- Crazy Horse
- Susan B. Anthony
- Chief Standing Bear
- Rosa Parks
- Harriet Tubman
- Harriet Beecher Stowe
- Frederick Douglas
- Jane Addams
- Cesar Chavez

Japanese relocated in World War II (See Hirabuyashi v. U.S., 320 U.S. 81 (1943); Korematsu v. U.S., 323 U.S. 214 (1944); Korematsu v. U.S., 584 F. Supp. 1406 (1984))

Activity 9-H: "If I Were in Charge of The World"

AN ENRICHMENT ACTIVITY

Purpose: To encourage students to creatively express their feelings about equality.

Student Materials: "If I Were in Charge of The World" example and worksheet, pp. 49-50.

This is an adaptation of a Judith Viorst poem, illustrating a way in which students can write creatively about equality. The poem includes examples from real life incidents and quotes from persons who have made an enormous difference in the fight for equal justice.

Directions:

1. Have the student read aloud the adaptation of the poem.
2. Go over the poetry form on the worksheet with the class.
3. Instruct the students to use the information they gathered in Activity 9-G (the research report) or to use their own feelings to fill in the slots in the poem.
4. Give the students the option of sharing their poems with the class.

UNIT V

EVALUATION

UNIT V. EVALUATION

Lesson 10. The Bill of Rights Today

INTRODUCTION

There are many activities that can be used to evaluate the students' understanding of the points raised in these materials. A few possibilities are:

10-A: A quiz on Lessons 1-7.

10-B: A story and questions concerning Chief Joseph's quest for freedom.

10-C: An assignment to write a paragraph about a real life experience involving one of the rights in the Bill of Rights.

10-D: The Rights Game.

10-E: A mock trial.

TEACHING INSTRUCTIONS

Activity 10-A: The Democratic Republican

Purpose: To test students' knowledge of Lessons 1-7.

Student Materials: "The Democratic Republican" worksheet, pp. 51-52.

Directions: Instruct the students to do the activities and answer the questions on the worksheet. Review the answers with the students.

Activity 10-B: Chief Joseph of the Nez Perce Speaks

Purpose: To evaluate students' understanding of the importance of constitutional rights.

Student Materials: "Chief Joseph of the Nez Perce Speaks" story and questions, pp. 53-54.

Directions:

1. Read the following story to the students.

    When the U.S. Army moved to take Indian Chief Joseph and his Nez Perce tribe from their land to a reservation, Chief Joseph and his warriors packed up the entire tribe, including women and children, and headed toward Canada. For 119 days the Indians evaded the U.S. Army, only to be captured when they were just thirty miles from the Canadian border. Upon his capture, Chief Joseph said:

    "You might as well expect the rivers to run backward as that any man who was born a free man should be contented when penned up and denied liberty to go where he pleases. Let me be a free man -- free to travel, free to stop, free to work, free to trade where I choose, free to choose my own teachers, free to follow the religion of my fathers, free to talk and think and act for myself."

2. Instruct the students to re-read Chief Joseph's words and to answer the questions.
3. Discuss the questions with the students.

Activity 10-C: Choose One Right

Purpose: To evaluate students' understanding of the importance of constitutional rights.

Student Materials: "Choose One" worksheet, p. 55.

Directions: Assign the students to write a paragraph in which they use a real life experience to show the importance of a right protected by the Bill of Rights.

Activity 10-D: The Rights Game

Purpose: To evaluate students' understanding of the rights protected by the Bill of Rights.

Student Materials: "The Rights Game" rules, pg. 56; "A Short Summary of the Extended Bill of Rights," pp.13-14; several sets of game cards.

Directions:

1. Copy and laminate several sets of game cards. The cards are on pages 60-64 of this Teacher's Guide.
2. Go over the game rules with the students. The rules are on page 56 of the student materials.
3. Divide the students into groups of up to six students and give a set of cards to each group.
4. Give the students time to play the game. The students should use their copies of "A Short Summary of the Extended Bill of Rights" to help them. Note that because not all the rights used in the game have been covered in these units, the game will introduce the students to several other constitutional amendments.

A list of what is on the cards and the correct answers:

1. Jacob and Erline, age 19, go to City Hall to register to vote in the next election. They are told they are too young. (26th–right of 18 year olds and older to vote)
2. Phillip stays in jail for ten years before his case comes to trial. (6th–right to speedy trial)
3. The local drugstore owner says someone had stolen some Mad Magazines from his store. The police search Mike's house and all the other houses in the neighborhood looking for Mad Magazines. (4th–right against unreasonable searches)
4. For stealing a bag of rice, Elanor's hand is cut off by the government. (8th–right against cruel or unusual punishment)
5. On the school bus, Alicia says, "The President is stupid." The police arrest her. (1st–freedom of speech)
6. A city newspaper runs articles criticizing the mayor. The mayor orders the newspaper closed. The police close it down. (1st–freedom of the press)
7. The state court tells Victor that since he is too poor to pay for a lawyer he cannot have one defend him at his trial for murder. (6th–right to a lawyer)
8. Some boys start a Hobbit Club. To join you must have read The Hobbit. Three girls try to join the club. The boys say, "Boys only." (no violation)
9. Richard is on trial and is not allowed to call witnesses for his defense. (6th–right to have people give evidence for you)
10. Gloria has been tried and found not guilty of a crime. The state says it will try her again. (5th–right not to be tried more than once for the same crime)

11. Peter owns land the government needs to build a road. The government takes the land and does not pay him for it. (5th, 14th–right not to have property taken without fair procedures)
12. Sarah wants to organize a meeting of people to convince the government to clean up environmental pollution. The government says the meeting cannot be held. (1st–right to gather peacefully)
13. Jeff and Jon scream "FIRE" in a school assembly. They are arrested. (no violation)
14. At the local public swimming pool four kids break all the rules: they run on the cement, refuse to get out of the water during break, sass the guards, and throw trash into the pool. Two kids are black, two are white. The guard sends the black kids home and warns them if they ever return the police will be called. (14th–right to be treated equally)
15. The government sends out this proclamation: "Starting November 1, 1990 everyone will worship the sunset." (1st– freedom of religion)
16. Michelle invites 15 people to her birthday party. The government says she can only invite six people. She is arrested. (1st–right to gather peacefully)
17. Congress passes a law that says "No one in the United States may have a gun of any kind even if he or she is in the National Guard." (2nd–right to keep and use guns to protect the country)
18. Harriet draws a cartoon of the President that makes fun of him. She sends the cartoon to the local newspaper. The editor calls the police and has her arrested. (1st–freedom of the press)
19. Congress passes a law that unless you belong to the Church of North America you cannot attend public school. (1st--government cannot set up a religion)
20. You go to your church and find this sign on the padlocked door: "It is against the Law to worship in this building." Signed: The Mayor. (1st–freedom of religion)
21. Your mother looks in your dresser drawer, finds your private letters, and reads them. You are grounded because the letters reveal private feelings you have about your home. (no violation)
22. Carl takes a book about dragons to school to read in free reading time. His teacher calls the police and has him arrested. (1st–freedom of speech/press)
23. Rachel's family votes a straight Republican ticket. When Rachel is 18 she announces, "I am going to vote for the Democratic ticket." Her parents order her to move out. (no violation)
24. Anthony goes to a picnic in a large city-owned park. At the entrance to the park he sees a sign: "No Indians Allowed" (14th–right to be treated equally)
25. Soldiers have been sent to a town to clean up after a tornado. The government says everyone whose house has not been wrecked must provide the soldiers with food and a place to sleep. (3rd–right not to be forced to have soldiers stay in your home)

26. Sam is tried for being a criminal and found guilty. He is never told what crime he is accused of committing. (6th– right to be told what you have been accused of doing)

27. Jo Ann is tried for stealing a car. The only evidence against her is a written statement from Brenda saying that Brenda saw Jo Ann take the car. Brenda is not in court. (6th–right to face your accusers)

28. Reed is accused of planting a bomb. The police tell Reed that he will stay in jail until he confesses. He confesses. (5th–right to refuse to testify against yourself)

29. Seth is being tried for murder. He asks to be tried by a jury, but the judge says, "We don't have juries here." (6th–right to a jury trial in a criminal case)

30. Fred is found in the street by Ralph and Lillian. They bring him to their farm where they force him to work without pay. (13th–slavery outlawed)

31. Lester goes to vote in the state election. An official says, "You can't vote; blacks are not allowed to vote in this state." (15th–right to vote regardless of race or color)

32. Marian goes to vote in a city election. At the voting place there is a sign that says "Men Only" (19th–right to vote regardless of sex)

33. Marvin belongs to a religion that believes that human beings must be killed and sacrificed to god. When he tries to kill a man he is arrested by the police. (no violation)

34. Alan wears a button that says, "The governor is a nerd." The police arrest him. (1st–freedom of speech)

35. A bank has been robbed. Five people who saw the robbery all say Jim was the robber. The police get a warrant and search Jim's house for the money. (no violation)

36. Alice tells the police that her backpack was stolen. The police see Amanda carrying a backpack that has Alice's name on it. The police stop Amanda and take the backpack. (no violation)

37. Liz's family is very poor and does not have enough to eat. Carla's family has plenty to eat. The government gives food to Liz's family, but not to Carla's. (no violation)

38. The state passes a law that says all boys must study arithmetic. (14th–right to be treated equally)

39. The people of Lizard Gulch have an election. A majority of the people vote that Larry cannot criticize the town. Larry is arrested. (1st–freedom of speech)

40. Gloria is having a party in her backyard. She is playing loud music. At 11:00 p.m. the police come and tell her to stop making so much noise. (no violation)

1.

Jacob and Erline, age 19, go to City Hall to register to vote in the next election. They are told they are too young.

1.

2.

Phillip stays in jail for ten years before his case comes to trial.

2.

3.

The local drugstore owner says someone had stolen some *Mad Magazines* from his store. The police search Mike's house and all the other houses in the neighborhood looking for *Mad Magazines*.

3.

4.

For stealing a bag of rice, Elanor's hand is cut off by the government.

4.

5.

On the school bus, Alicia says, "The President is stupid." The police arrest her.

5.

6.

A city newspaper runs articles criticizing the mayor. The mayor orders the newspaper closed. The police close it down.

6.

7.

The state court tells Victor that since he is too poor to pay for a lawyer he cannot have one defend him at his trial for murder.

7.

8.

Some boys start a Hobbit Club. To join you must have read *The Hobbit*. Three girls try to join the club. The boys say, "Boys only."

8.

9.

Richard is on trial and is not allowed to call witnesses for his defense.

9.

10.

Gloria has been tried and found not guilty of a crime. The state says it will try her again.

10.

11.

Peter owns land the government needs to build a road. The government takes the land and does not pay him for it.

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12.

Sarah wants to organize a meeting of people to convince the government to clean up environmental pollution. The government says the meeting cannot be held.

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13.

Jeff and Jon scream "FIRE" in a school assembly. They are arrested.

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14.

At the local public swimming pool four kids break all the rules: they run on the cement; refuse to get out of the water during break; sass the guards; and throw trash into the pool. Two kids are black, two are white. The guard sends the black kids home and warns them if they ever return the police will be called.

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17.

18.

Harriet draws a cartoon of the President that makes fun of him. She sends the cartoon to the local newspaper. The editor calls the police and has her arrested.

18.

19.

Congress passes a law that unless you belong to the Church of North America you cannot attend public school.

19.

20.

You go to your church and find this sign on the padlocked door: "It is against the Law to worship in this building." Signed: The Mayor.

20.

21.

Your mother looks in your dresser drawer, finds your private letters, and reads them. You are grounded because the letters reveal private feelings you have about your home.

21.

22.

Carl takes a book about dragons to school to read in free reading time. His teacher calls the police and has him arrested.

22.

23.

Rachel's family votes a straight Republican ticket. When Rachel is 18 she announces, "I am going to vote for the Democratic ticket." Her parents order her to move out.

23.

24.

Anthony goes to a picnic in a large city-owned park. At the entrance to the park he sees a sign: "No Indians Allowed."

24.

25.

Soldiers have been sent to a town to clean up after a tornado. The government says everyone whose house has not been wrecked must provide the soldiers with food and a place to sleep.

25.

26.

Sam is tried for being a criminal and found guilty. He is never told what crime he is accused of committing.

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JoAnn is tried for stealing a car. The only evidence against her is a written statement from Brenda saying that Brenda saw JoAnn take the car. Brenda is not in court.

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28.

Reed is accused of planting a bomb. The police tell Reed that he will stay in jail until he confesses. He confesses.

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Seth is being tried for murder. He asks to be tried by a jury, but the judge says, "We don't have juries here."

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30.

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31.

Lester goes to vote in the state election. An official says, "You can't vote; blacks are not allowed to vote in this state."

31.

32.

Marian goes to vote in a city election. At the voting place there is a sign that says "Men Only".

32.

33.

Marvin belongs to a religion that believes that human beings must be killed and sacrificed to God. When he tries to kill a man he is arrested by the police.

33.

34.

Alan wears a button that says, "The governor is a nerd." The police arrest him.

34.

35.

A bank has been robbed. Five people who saw the robbery all say Jim was the robber. The police get a warrant and search Jim's house for the money.

35.

36.

Alice tells the police that her backpack was stolen. The police see Amanda carrying a backpack that has Alice's name on it. The police stop Amanda and take the backpack.

36.

Activity 10-E: Mock Trial

Introduction: A student-conducted mock trial is an exciting way to culminate any law-related education unit. It is not only a good way to review the right of due process, but also helps the students develop questioning technique, critical thinking, and oral advocacy skills.

The mock trial included in this unit is B.B. Wolf v. Curly Pig. It is a completely scripted mock trial, so preparation is relatively easy. You might want to coordinate your trial with the teacher who is teaching the Bill of Rights primary unit and have your students enact the trial for the primary students.

A more challenging mock trial is one in which a script is not provided. Instead the students are given role statements and must develop their own opening and closing statements, questions, and answers. These trials are effective only if there has been extensive pre-trial preparation. Teachers who would like to consider other mock trials, using either scripts or role statements, or would like more information on how to put on a mock trial should contact either:

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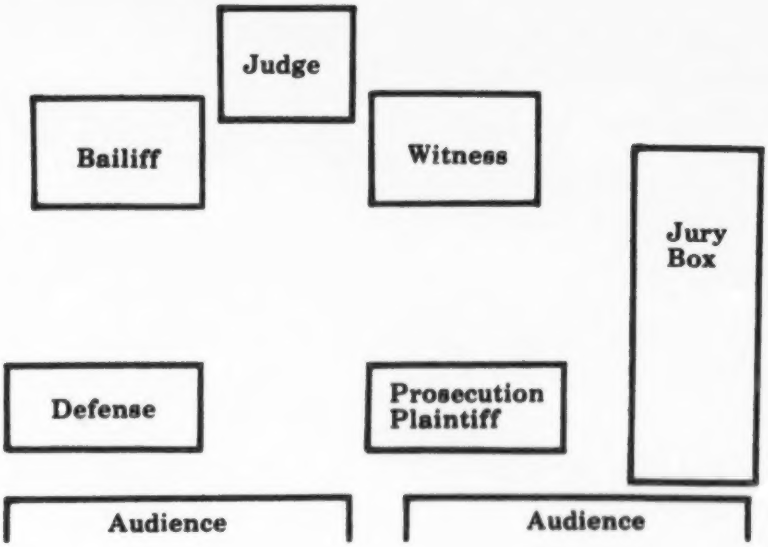
Student Materials: Mock Trial script - B.B. Wolf v. Curly Pig, pp. 57-69.

Directions:

1. Review with the students the purpose of a trial, the procedure involved, and the due process rights guaranteed by the extended Bill of Rights.
2. Assign parts to the students. The lawyer roles can be split among more than one student. Some students not given a direct role in the trial could serve as radio, television, or newspaper reporters who observe the trial and then "file" their reports by making a presentation to the class in form of a report, article, or editorial following the trial. The remaining students should serve as jurors, split into as many jury panels as needed. (Juries are usually comprised of six or twelve jurors). The primary students can make up additional jury panels.
3. Allow time for the students to rehearse their parts. At the trial the students can read their parts or paraphrase them.

4. Convert the classroom into a courtroom and put on the trial. The classroom should be arranged like this:


Judge
Bailiff
Witness
Jury Box
Defense
Prosecution Plaintiff
Audience
Audience

5. After the trial the jury panels should deliberate. Help them focus on the issues and come up with clearly articulated arguments. Although you might not want to wait until a unanimous (or a 5/6ths) verdict is reached, allow time for the jurors to try to convince the other jurors of the correctness of their positions.
6. Instruct the foreman of each jury to announce the jury's verdict and the reasons why the jury decided the way it did.
7. Set aside time for debriefing the experience. Review the issues, the strengths and shortcomings of each party's case, and whether the parties received a fair trial.

APPENDIX

Children's Literature Concerning Topics Covered in the Bill of Rights Unit

Bette Bao Lord, **In the Year of the Boar and Jackie Robinson**, Harper, 1984 (diversity).

Avi Wortis, **Night Journeys**, Pantheon, 1979 (authority, freedom, justice)

Betsy Byers, **That Crazy April**, Seabury Press, 1979 (diversity, justice)

Sheila Gordon, **The Monster in the Mailbox**, Dutton, 1978 (justice)

Katherine Paterson, **Bridge to Terabithia**, Crowell Co., 1977 (diversity, justice, privacy)

Betsy Byers, **The Cartoonist**, Viking Press, 1978 (privacy)

Jill Paton Walsh, **A Chance Child**, Farrar, Straus & Giroux, 1978 (justice, freedom)

Elaine Pascoe, **Racial Prejudice**, Watts, 1984 (diversity)

Linda Atkinson, **In Kindling Flame: The Story of Hannah Senesh, 1921-1944**, Lothrop, 1984 (diversity, human rights)

Ellen Howard, **When Daylight Comes**, Atheneum, 1984 (diversity)

Linda Peavy and Ursula Smith, **Dreams into Deeds: Nine Women Who Dared**, Scribner, 1984 (diversity)

Frederick Drimmer, **The Elephant Man**, Putnam, 1984 (diversity)

James Lincoln Collier, **Louis Armstrong: An American Success Story**, Macmillan, 1984 (diversity)

Doris Faber, **Margaret Thatcher: Britain's "Iron Lady"**, Viking, 1984 (diversity)

Mildred Pitts Walker, **Brother To The Wind**, Lothrop, 1984 (diversity)

Virginia Hamilton, **The People Could Fly: American Black Folktales**, Knopf, 1984 (diversity)

Madhur Jaffrey, **Seasons of Splendor: Tales, Myths and Legends of India**, Atheneum, 1984 (diversity)

Ann Walker, **Amy: The Story of a Deaf Child**, Lodestar, 1984 (diversity)

Irene Hunt, **The Everlasting Hills**, Scribner, 1984 (diversity)

Ron Roy, **Move Over Wheelchairs Coming Through!**, 1984 (diversity)

Jean Little, **Mama's Going to Buy You a Mockingbird**, Viking, 1984 (diversity)

Eth Clifford, **The Remembering Box**, Houghton, 1984 (diversity)

Sandra Richmond, **Wheels for Walking**, Atlantic, 1984 (diversity)

Kathryn Lasky, **Beyond the Divide**, Dell, 1983 (diversity)

Clyde Robert Bulla, **Charlie's House**, Crowel/Harper, 1983 (freedom)

Jean Rogers, **Goodbye, My Island**, Greenwillow, 1983 (diversity)

James Lincoln Collier and Christopher Collier, **War Comes to Willy Freeman**, Dell, 1983 (freedom, diversity)

Virginia Hamilton, **Willie Bea and the Time the Martians Landed**, Greenwillow, 1983 (diversity)

Anne E. Neimark, **A Deaf Child Listened: Thomas Gallaudet, Pioneer in American Education**, Morrow, 1983 (diversity)

Dorothy Nafus Morrison, **Under a Strong Wind: The Adventures of Jessie Benton Fremont**, Athenum, 1983 (diversity)

Virginia Hamilton, **The Magical Adventures of Pretty Pearl**, Harper, 1983 (diversity)

Mildred Pitts Walter, **Because We Are**, Lothrop, 1983 (diversity)

Rukshana Smith, **Sumitra's Story**, Coward-McCann, 1983 (diversity)

Marylois Dunn with Ardath Mayhar, **The Absolutely Perfect Horse**, Harper, 1983 (diversity)

Barbara Cohen, **Molly's Pilgrim**, Lothrop, 1983 (freedom, diversity--religion)

Albert Likhanov, **Shadows Across the Sun**, Harper, 1983 (diversity- -handicap)

Patricia Hermes, **Who Will Take Care of Me?**, Harcourt, 1983 (diversity--handicap)

BILL OF RIGHTS
CURRICULUM EVALUATION
INTERMEDIATE UNIT

Teacher ____________________

School ____________________

Grade ____________________

Lesson Taught ______________

A. Please rate your degree of agreement/disagreement with the following statements:

		totally agree				totally disagree
1)	The lesson was well suited to my students' conceptual level.	1	2	3	4	5
2)	The lesson provided new information.	1	2	3	4	5
3)	The lesson presented concepts and information in a better manner than do traditional texts.	1	2	3	4	5
4)	The lesson meshed well with our course outline for the semester.	1	2	3	4	5
5)	I personally learned something from the lesson.	1	2	3	4	5
6)	The materials were complete from the lesson.	1	2	3	4	5
7)	I feel the lesson will be thought-provoking for students (stimulate out of class thought and discussion).	1	2	3	4	5
8)	I can pick up on the lesson in subsequent classes.	1	2	3	4	5
9)	I think the lesson challenged some students' attitudes.	1	2	3	4	5
10)	The lesson incorporated, built upon material we have already covered.	1	2	3	4	5
11)	I was able to use the lesson as is.	1	2	3	4	5
12)	I adapted the lesson in my presentation.	1	2	3	4	5
13)	I would consider using more such materials in my class.	1	2	3	4	5
14)	I feel the materials are deficient in some way.	1	2	3	4	5

Please respond to the questions on the back of the sheet also.

B. Please answer the following:

1) Describe students' reaction/participation to this lesson:

2) What do you consider the best point of this lesson/activity?

3) What suggestions do you have for adapting or modifying this lesson/activity?

4) Were the materials adequate? How could they be improved?

Mail completed form to:

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